













# Edinburgh Annual Register

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## **PART I.—HISTORICAL.**

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## PART I.—HISTORICAL.

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### CHAPTER I.

#### OPENING OF PARLIAMENT.

*General View of the State of Political Parties—Opening of Parliament—King's Speech—Debate on the Address—State of the Country—Spain—South America—Ireland.*

AFTER the survey taken in our last volume of the political world and its principal actors, the present aspect of both affords little room for additional remark. The Oppositions, both Whig and popular, continued in the active exercise of their functions; but, while they diligently watched the movements of ministry, they scarcely felt a hope, or exerted an effort, to drive them from their seats. Britain never had so independent a Parliament. There was less of the means of influence, and less of the spirit of devoted partizanship, than at any former period. The stability of ministers rested on a surer and more permanent basis. Instead of endeavouring to secure themselves by high stretches of authority, by a course of favouritism and patronage, and by urging on the zeal of their partizans, they attained this object by resting on a system liberal, constitutional, and conciliatory towards all

classes. They hesitated no longer in selecting from every political creed whatever it contained that promised to be salutary, without exception even of those whose votaries had manifested the strongest hostility to themselves, or whose views had excited most alarm in the public mind. In their present adoption, however, these measures were so far tempered and modified, as not to revolt any judicious advocate of the established system. The popular leaders, in return, had, in a great measure, exchanged their course of rude and sweeping attack against all established men and systems, for one of cool stricture and practical inquiry. On the other hand, there was formed behind ministry a sort of ultra-ministerial party, who complained, that ministers acted under a pusillanimous dread of opponents whom they ought to have contemned and despised; that they had entered on a

timid and time-serving career, and were estranging themselves from their own most zealous friends and supporters. Ministers, however, held on their course amid murmurs on both sides, but without meeting with any serious obstruction. The only formidable mass of resistance was collected against the more liberal system of commercial arrangement, which they had adopted in common with several philosophic adherents of the popular cause, and which went upon the principle of laying open British industry and its products to free competition from all quarters, whether native or foreign. Upon this subject a sort of transverse of parties took place. There appeared in array against the new system, a mass of the old Whigs and of the old Tories, who called out for the maintenance of the original English system, by which our own produce and manufactures might be protected against the dangerous competition of states that were not only foreign, but rootedly hostile. These doctrines, in fact, are, on a superficial glance, so plausible, and require such extensive views to detect their errors, that they have captivated almost all the popular governments of the present day, and even in Britain continued to enjoy favour with a large portion of the public. It was not, therefore, without resistance that ministers had been enabled to break ground against the system of monopoly; and now that they were to make nearer approaches, and to begin to breach the main fortress, it was impossible not to anticipate opposition of a pretty serious nature.

One circumstance, it must be confessed, was peculiarly favourable for enabling administration to proceed with smoothness and success. So long as there was a heavy pressure of distress and suffering upon any considerable portion of the community, there

could never cease to be a disposition to call upon government for the cause, and to hold it more or less responsible for this interruption of the general well-being. The consequence had been, that, at no distant period, ministers had a most difficult course to steer. But at the beginning of the present year all things had materially changed their aspect. Commerce and manufactures had, before this time, emerged from their long distress; yet their wheels had hitherto moved on in a steady, but slow and languid career. At present, animation and briskness were rapidly returning, and confidence was felt that Britain had again entered on a sure and prosperous progress. That enterprize of her merchants which, beneath the overwhelming blows that struck it, had lain astounded and dismayed, but never vanquished, now revived in all its energy. It exerted itself, however, under circumstances very different from those which took place under the period of rapid, and, as it were, feverish prosperity which had marked the preceding period of war. Then the almost unlimited employment for capital was accompanied with the difficulty of finding it, and a consequent high premium offered for its use. At present capital was abundant, and to be had at an easy rate; but there was great difficulty of disposing of it in any manner which would afford an adequate remuneration. Capital, therefore, overflowing and pent up, eagerly thrust itself into every channel which afforded in the least a promising aspect. Hence the eagerness with which it sought the perilous field of foreign loan, upon the faintest and most remote security, and British capital was poured over the farthest corners of the earth with it, it is to be feared in many instances, very faint prospects of returning. Now, however, when the pressure of mercantile distress and alarm had abated, a

securer, and, nationally speaking, more salutary sphere of employment was sought at home. This effort was made chiefly in the direction of forming great joint stock companies, to conduct, on a great scale, those branches of national industry which had hitherto been carried on by individuals or by private copartnery. This system was of somewhat a dubious character and tendency, and some of its details were marked by a precipitate boldness, too often characteristic of British commercial enterprise. This pressure, however, of capital for employment, operated usefully in urging the legislature to the dissolution of monopolies, founded on no reason or policy, and which imposed pernicious restraints on the regular current of commercial transactions. Generally speaking, the preparatory steps by which these companies were to be enabled to act, required the sanction of a legislative enactment; and they were thus brought into fuller discussion than was necessary in the case of individual associations, not demanding or receiving any exclusive privileges.

On the subject of foreign affairs, a pretty strong interest, of a more painful nature, was still felt. All the hopes and predictions of the friends of liberty had been fatally belied, yet the catastrophe, though affording ample room for just and fruitless invective against the powers leagued in its accomplishment, could leave little room for party conflict. The weakness, disunion, and treachery, which had caused so total and rapid a downfall of the Spanish constitutional system, afforded additional justification of those who had declined embarking in so ill cemented and supported a cause. The more cautious and judicious leaders of the Whig interest, therefore, held themselves prepared merely to speak, and to throw a general shade of re-

proach around ministry. Only their more vehement and precipitate retainers courted a vote, which, it was foreseen, would be attended with no issue either flattering to the party, or tending to consolidate its influence.

In consequence of the indisposition under which his Majesty unfortunately laboured, he was unable this year to open Parliament in person. The following speech was delivered in his name by the Lord Chancellor to the two Houses.

*" My Lords and Gentlemen,*

" We are commanded by his Majesty to express to you his Majesty's deep regret, that, in consequence of indisposition, he is prevented from meeting you in Parliament upon the present occasion.

" It would have been a peculiar satisfaction to his Majesty to be enabled in person to congratulate you on the prosperous condition of the country.

" Trade and commerce are extending themselves, both at home and abroad. An increasing activity pervades almost every branch of manufacture.

" The growth of the revenue is such as not only to sustain public credit, and to prove the unimpaired productiveness of our resources, but (what is yet more gratifying to his Majesty's feelings) to evince a diffusion of comfort among the great body of the people.

" Agriculture is increasing from the depression under which it laboured, and, by the steady operation of natural causes, is gradually re-assuming the station to which its importance entitles it, among the great interests of the nation.

" At no former period has there prevailed throughout all classes of the community in this island a more cheer-



ful spirit of order, or a more just sense of the advantages which, under the blessing of Providence, they enjoy.

"In Ireland, which has for some time past been the subject of his Majesty's particular solicitude, there are many indications of amendment, and his Majesty relies upon your continued endeavours to secure the welfare and happiness of that part of the United Kingdom.

"His Majesty has commanded us farther to inform you, that he has every reason to believe, that the progress of our internal prosperity and improvement will not be disturbed by any interruption of tranquillity abroad.

"His Majesty continues to receive from the powers his allies, and generally from all princes and states, assurances of their earnest desire to maintain and cultivate the relations of friendship with his Majesty, and nothing is omitted on his Majesty's part, as well to preserve general peace as to remove any causes of disagreement, and to draw closer the bonds of amity between other nations and Great Britain.

"The negotiations which have been so long carried on through his Majesty's ambassador at Constantinople, for the arrangement of differences between Russia and the Ottoman Porte, are, as his Majesty flatters himself, drawing near to a favourable termination.

"A convention has been concluded between his Majesty and the Emperor of Austria, for the settlement of the pecuniary claims of the country upon the court of Vienna. His Majesty has directed that a copy of this convention shall be laid before you, and he relies on your assistance for the execution of some of its provisions.

"Anxiously as his Majesty deprecates the commencement of the war in Spain, he is every day more satisfied, that in the strict neutrality which he determined to observe in that contest,

(and which you so cordially approved,) he best consulted the true interests of his people.

"With respect to the provinces of America, which have declared their separation from Spain, his Majesty's conduct has been open and consistent, and his opinions have been at all times frankly avowed to Spain and to other powers.

"His Majesty has appointed Consuls to reside at the principal ports and places of these provinces, for the protection of the trade of his subjects.

"As to any farther measures, his Majesty has reserved to himself an unfettered discretion, to be exercised as the circumstances of those countries, and the interest of his own people, may appear to his Majesty to require.

*"Gentlemen of the House of Commons,*

"His Majesty has directed us to inform you, that the estimates for the year are prepared, and shall be forthwith laid before you.

"The numerous points at which, under present circumstances, his Majesty's naval force is necessarily distributed, and the occasion which has arisen for strengthening his garrisons in the West Indies, have rendered unavoidable some augmentation of his establishments by sea and land.

"His Majesty has, however, the gratification of believing that, notwithstanding the increase of expense incident to these augmentations, it will still be in your power, after providing for the services of the year, to make arrangements in some parts of our system of taxation which may afford relief to certain important branches of the national industry.

*"My Lords and Gentlemen,*

"His Majesty has commanded us to acquaint you, that he has not been inattentive to the desire expressed by

the House of Commons in the last session of Parliament, that means should be devised for ameliorating the condition of the negro slaves in the West Indies. His Majesty has directed the necessary information relating to this subject to be laid before you.

“His Majesty is confident that you will afford your best attention and assistance to any proposition which may be submitted to you for promoting the moral improvement of the negroes, by an extended plan of religious instruction, and by such other measures as may gradually conduce to the same end. But his Majesty earnestly recommends to you to treat the whole subject with the calmness and discretion which it demands.

“To excite exaggerated expectations in those who are the objects of your benevolence, would be as fatal to their welfare as to that of their employers. And his Majesty assures himself you will bear in mind that, where the correction of a long standing and complicated system, and the safety of large classes of his Majesty's subjects are involved, that course of proceeding is alone likely to attain practical good, and to avoid aggravation of evil, in which regard shall be paid to considerations of justice, and in which caution shall temper zeal.”

In the Lords, on the same day, the address was moved by Earl Somers, and seconded by Viscount Lorton; in the Commons, moved by Mr Hill, and seconded by Mr Daly. In the Upper House, there appeared on the side of Opposition, chiefly the Marquis of Lansdowne and Lord Holland, and against them the Earl of Liverpool, while in the House of Commons the debate ran almost entirely between Mr Brougham and Mr Canning.

Upon the important subject of the improvement which had taken place in the internal condition and prospects of

the country, no contradiction was attempted from any quarter. The Marquis of Lansdowne even thought that his Majesty was fully justified in congratulating Parliament on the improvement in the agriculture of the country which had recently taken place. To him it afforded unmixed satisfaction, that the renovation in that important branch of our industry was spontaneous, and that, in the words used in his Majesty's speech, “by the steady operation of natural causes, it was assuming the station to which its importance entitled it among the great interests of the nation.” The great weight of the public debt after the war had certainly exposed us to difficulties; but he, for one, never despaired of the resources of the empire, and he now saw it admitted, with pleasure, that our present prosperity arose from reduction of taxation and from extended freedom of trade.

Lord Liverpool, on this ground, claimed credit to ministers and the legislature, both for what they had, and had not done. Their lordships knew how that House had been pressed, and how the other House of Parliament had also been pressed, to devise some artificial means of relief for the agricultural classes; but believing as he did that great evils had before arisen from the interposition of government under similar circumstances, it was extremely gratifying to find that we in this instance recovered from all our difficulties by natural means. The late depression, his lordship observed, naturally arose, in the first instance, out of a change from war, to peace. The fleets and armies employed during the war are thrown back on society—the markets opened during the same period are closed—and a general re-action is thus produced for a time. Though, therefore, one species of property, namely, that consisting of fixed capital, may increase, all those

depending on the industry of the people necessarily suffer for a season. But it was not the operation of this cause only which affected the situation of Great Britain after the close of the last war. Another great difficulty was to be overcome—the greatest perhaps ever experienced in any nation—namely, a return to metallic currency. Their lordships would recollect the predictions of bankruptcy, and of the destruction of public credit, which at one time resounded on every side; the assertions that the agriculturists could never recover without a violation of the contracts to which the nation stood pledged; yet we have recovered from all, and surmounted every difficulty without any injury to public faith, or any violation of the national engagements. Nay, the country is not only now recovering its former prosperity, but actually enjoying prospects which it never before possessed. The whole course of this renovation shews the wisdom of the measures adopted by Parliament. Every danger has been overcome, and we now hold that station which every one wished us to hold, with our agriculture, commerce, and all other interests flourishing.

Lord Holland fully concurred in what was said in the speech as to the flourishing state of the country, and was ready to add, that this was mainly attributable to the wisdom and firmness of Parliament, particularly in its proceedings relative to the resumption of cash payments; but he was not prepared to give ministers all the credit they claimed for this prosperity.

In the Commons, Mr Brougham, engrossed by other topics, did not say anything on this subject; but Mr Hume insisted, that the prosperity boasted of had arisen chiefly from the degree in which taxation had been relieved, and asked, in the name of the people of England, whether any, and

what further taxes were to be taken off.

Mr Robinson declined giving any present answer to this question, but announced that, in the course of a fortnight, a full statement would be made of the financial circumstances and plans of administration.

The subject on which the Opposition members chiefly dwelt, was the state of foreign affairs, affording to them certainly a theme which, however ministers might be able to justify their own conduct, was, in several respects painful, and deeply to be regretted. To this topic Mr Brougham almost exclusively addressed himself. He saw little reason, indeed, why this country should felicitate itself, or offer congratulations to the Crown, because Spain had been unsuccessful in the late struggle. What was its real issue? The conquest of Spain by France. That was the event they suffered to take place almost without the slightest expression of disapprobation—without protest or remonstrance; an event to avert which, in former times, the greatest and most expensive wars ever undertaken by this country had been waged, and victoriously waged. As to the argument urged from the little resistance made by Spain, it went two ways. If the people of Spain were generally in favour of the restored government, what was the motive for retaining 50 or 60,000 Frenchmen in that unfortunate country? In that case, Spain was a conquered country; and if this was denied, then it followed that Spain was attached to the constitution—that she wanted but the countenance of other governments—that she stood in need of fleets and armies, and pecuniary resources—and that these wants alone prevented her from a successful struggle. His belief was, that Spain was attached to the constitution—that

though unsuccessful from want of leaders or resources, she did what she could under all the circumstances, and was now only kept down by a French force, by the terror of those armies which had most unwarrantably trodden down her rights and liberties. It had been said, that England never stood in a more commanding attitude than now; that her influence was never greater. In that case they possessed the influence without exerting it; or, holding the balance, they allowed it to incline entirely to one side; or else they looked upon themselves as having nothing at all to do, no interest of any kind in the conduct of the other powers. The fact appeared to be, that they were entirely shut out from the deliberations of the other powers; they had no voice in the conclave of sovereigns, and were called upon only as brokers to contribute their money in support of the war, to lend their aid when the bills became due. It was the common talk in some of the saloons of Paris, that England in future must content herself with the situation of a secondary power, with that in which nature, and, he would add, her own choice, placed her. It had been said, that the dangers to be apprehended from those who called themselves the Holy Allies, were either distant or quite chimerical. They were indeed wise in their generation; they would not undertake anything sudden or outrageous; but encroachment after encroachment would be made, till at length some decisive step would be taken, which would drive this country into an unsuccessful, because unequal struggle. Mr B. had been superciliously contradicted last year, in his assertions as to the conduct which the allies had pursued in regard to the Swiss cantons. It turned out, however, that the greater part of his statement was true. It was true that there had issued a requisition to put down the free press of Switzerland, to turn

out all emigrants, all who took refuge there from the persecutions and tyranny of their own country. Switzerland, that had been illustrious for ages for affording an asylum to those who fled from religious or political persecution, was thus ordered by imperial mandate to turn out those who took refuge in her bosom. A country might enjoy a temporary tranquillity, and a semblance of independence, but it must be ultimately swallowed up by the power which thus imperiously dictated to it. The same was the case over all Germany. If any man doubted that the same conspirators who put down the free press of Switzerland were pursuing the same course with respect to Germany, let him only look at the case of Wirttemberg. There was not a single editor of a journal in Germany who would now dare to publish any article tending to give umbrage, not merely to the sovereign of the state in which it was published, and who might be supposed to possess some right of interference, but to the Czar of Muscovy, the King of France, or the Emperor of Austria. Still more deeply did Mr Brougham reprobate the system pursued in Italy, where numbers, after the misery of three years' imprisonment, had recently suffered the punishment of death; where wanton mental torture had been inflicted on their female relations; and where the judge of police immured them in dungeons, rendered always more and more dark and unwholesome, till they were driven to accuse themselves and their relations of perhaps imaginary crimes. There was no occasion to say that a similar state of things existed in Spain, since it was committed to the charge of him who was a worthy representative of the Holy Allies—the beloved Ferdinand—who, he had no hesitation in saying, was an object of more contempt, abhorrence, and disgust, than any other man now living. It was

impossible that there could exist, either in that house or out of it, but one feeling of horror and execration for the armed despots. There was not one who must not detest the whole conduct and principles of those royal conspirators, who were now filling Europe with blood and misery.

Under the same head, Lord Lansdowne also observed, that the termination of the late contest in Spain appeared to him truly unfortunate, not on account of the particular constitution which had been subverted—it was for reasons dear to this and all countries—the rights and independence of nations, which could not be trencched on in the Peninsula without compromising the interests of this and every other free state. When he saw that the effects of the principle of interference was the undue augmentation of power to another kingdom, and that kingdom the old and uniform rival of Great Britain, to him it appeared inexplicable that any minister could have observed that courtly silence apparent in the present speech on the termination of the war in Spain, and which leaves it a matter of doubt whether that termination has or has not given satisfaction to the noble lords opposite. Could the political system of the continent be said to rest on a solid foundation, when the whole of Europe was under the control of three or four military powers, who exercised the most vexatious, nay, tyrannical jurisdiction over the rights and independence of all people and all governments? Except from force, no nation was secure. It certainly was not required that the speech from the throne should declare the state of Europe to be satisfactory; but when neither the monarchies of Wirtemberg and Bavaria, nor the free governments of Switzerland, were exempted from acts of aggression which this country would justly deem direct

insults, he saw nothing to protect our independence but the fear of retaliation.

In replying to these observations, ministers shewed themselves disposed to treat with great tenderness the supporters of the constitutional cause in Spain. Mr Canning declared himself not at all disposed to enter into a critical inquiry into the causes of their failure. God forbid that he, and those with whom he acted, should exult over their misfortunes, and impute the absence of those qualities that ought to have ensured success. God forbid that they should aggravate the sorrows of those who now pined in all the agony of disappointed hope, by imputing to them a want of individual talent, virtue, and exertion, which merited a better fate. The success of the struggle must always have depended on the support which the people of Spain were disposed to give to the constitution; and without feeling himself obliged to characterize either it or the system which had succeeded it, he could only rejoice that it had not occasioned the interference of British arms, or the expenditure of British treasure. To the success of the constitutionalists, that unanimity, patriotism, and attachment to the system then established, was wanting, which no strangers could supply. Fleets, and armies, and money, might be furnished by foreign friends, but the qualities which he had enumerated could not. Wanting them, no external aid could turn the tide of war; all that could be effected by other means was to protract the struggle, which would ultimately, in all human probability, have terminated nearly as it had now done. As to the station in which this country was placed with Europe, he must say, that England's just rights, and just influence, were as much respected now as at any period of her history, and her interference was as much courted and desired by other

powers as ever. Ministers had, however, been taunted because they were in alliance with countries whose institutions were less liberal than those of Britain. He should be glad to know when such alliances were deemed objectionable, and would wish that those who favoured the objection which had been stated, would look back to former times—to the reigns of King William and Queen Anne, and see what passed then. He wished to ask, if in their reigns, when an alliance was proposed with the Emperor of Germany, or one of the most despotic princes of the time, it entered into the heads of our ancestors to object to it, because the subjects of those princes were less free than Englishmen? Till they could make a perfect world, they must be content to act on such materials as were to be found in this. Was it to be contended that England was to form no alliances but with states who enjoyed free constitutions like her own? If this were in future to be the rule, he wished the House to see how greatly it would limit our alliances, and he desired them to look back to the history of the last ten years, and see what we could have done without the assistance of the subjects of those despots, (if despots they must be called,) towards overthrowing that colossal power which prevailed in Europe, and those disorders which republican frenzy had produced. As to the charges made against the Austrian government, supposing them correct, were we to make war against a state, because there were some of its internal proceedings which we viewed with abhorrence? He suspected, however, that there was much misinformation on this point. He knew that the Emperor of Austria had pardoned some of the accused after condemnation, and believed that monarch could not be justly charged with undue severity. In regard to extorted confessions, Mr

Canning mentioned it as a singular regulation, that by the Austrian law, a man could not undergo sentence of death without confession. The law might be wrong, but still it seemed to originate in a humane idea. With regard to the transactions in Switzerland, he did not stand forth as their advocate; but still he believed there was an evil disposed person there, who sought to embroil that country with the great powers. He wished it to be understood that he was not the champion of the Germanic constitution. He could conceive nothing more cumbrous and inconvenient than a German Diet. By this, foreign interference was sanctioned. This was a part of the constitution. Perhaps its powers had been improperly directed against a particular newspaper. But if we took upon ourselves, when anything of this sort occurred in another state, to break off all communication with that state, to hold no friendship with it, and, as far as depended upon us, to blot it out of the map of Europe, why, then, he thought it would be well that we should no longer think of living in this world, but must look out for a new one. There were those who maintained that England ought to put herself at the head of those states who were said to be oppressed by the larger powers. He was not disposed to favour this idea. He was not in favour of perpetual war, and a ceaseless expenditure of our wealth. We knew what were the immediate consequences of war to this country, but then the ultimate result of such a system it would be hard to prophecy. Many wars had raged in Europe, but of all those whose ravages had been deplored, wars for opinions had been found the most fatal. The object of England was peace. It was for her to be content to move in her own proper orbit, without looking too nicely at the glory or the magnitude of another star. Let

England shine with her own splendour, enlightening others with her rays, but let her not adopt the principle of crusade, lest the mode in which her power and influence were made manifest, should convert her very blessings into curses.

Lord Liverpool urged that everything which he predicted last year had been fulfilled in regard to Spain. He never thought that France ought to have invaded Spain; not from any consideration of the abstract principle involved in the question, and which of course admitted of exceptions; but, in his opinion, France could make out no case to justify the invasion of Spain. The British government had done everything in its power to prevent interference, but not having succeeded, it did not choose to interfere itself between a divided people. What, then, was the result? How was the French army received? or how would those who wished Great Britain to interfere have looked if we had done so, and saw the Spanish people flock to the French standard? If the constitution of Spain had been less faulty than it was, nay, if it had been the greatest monument of human wisdom that ever existed, it would have been folly to have supported it against the majority of the people for whom it was intended. The Spaniards, so proverbially jealous of their independence, actually hailed the French army as their deliverers; and what did this arise from? from the cause he stated in that House last April, that although they hated foreign interference much, they hated the constitution more. And would their lordships have the country to interfere in support of a small party against the majority? He agreed with the noble lord (Somers) in his reprobation of ultraism; but where was the ultraism in Spain?—it was the enthusiasm of the Spanish nation. The illustrious prince who headed the army

which invaded Spain—and here he was bound to say, however much he deprecated the interference of France with the Peninsula, that the conduct of that illustrious individual throughout the campaign deserved the highest praise, and shewed what might be expected from him when he ascended the throne hereafter, of which he was the legitimate heir—this prince, he would repeat, found all his exertions necessary to repress the ultraism of the people. The efforts of France, then and now, were directed to check that ultraism.

From the subject of the continent, and of continental Spain, the speakers diverged to another, which was now assuming a more prominent importance; that of the vast regions once belonging to that power in the western world. Mr Brougham began, indeed, by attempting to shew, that it was inconsistent in Britain to support the colonies, when she had not supported Spain itself, and that the two cases were precisely similar. But notwithstanding this inconsistency, he trusted that South America would never return under the dominion of the mother country, whatever might be the form of government there, whether constitutional, or, as it now was, completely despotic; he trusted these colonies would retain the freedom they had purchased with their blood; and that if the necessity should arise, this country would do her duty. Happily, this important question was now nearly disposed of. He spoke it with pride and exultation, that an event had lately occurred which must be a source of pride to every nation that cherished any idea of freedom, and fill with gratitude every bosom that regarded the rights and liberties of mankind. He alluded to a declaration in the speech of the President of the United States. It was open, manly, and intelligible,

such as became a free nation ; and he trusted we would not be deterred by any mean-spirited calculations of prudence, by any apprehension of giving offence to the Holy<sup>3</sup> Allies, from following the noble example, and joining our efforts to those of the free people of America, to set bounds to the encroachments of a despotic alliance, which, if once it could bring the old world under subjugation, would, no doubt endeavour to extend its tyranny to the new. He suspected, unless the people of America received the early and decisive support of this country, that by bribery, intrigue, and the influence of the priests, they must be reduced sooner or later.

The Marquis of Lansdowne took a more decided ground upon this point. If all chance of advancement in the old world was cramped and chained down by two or three great powers, who presided over the destinies of Europe, with how much satisfaction did he perceive the seeds of improvement and free government transplanted across the Atlantic, and relieved from the withering influence of those maxims which now blighted every promise that Europe might have afforded. The great interests of this country in particular, and of the world generally, were involved in the freedom of South America. Wherever free trade and free government existed, our interests and feelings naturally led us, and it was therefore with pleasure he found a disposition in ministers to cultivate amicable relations on the other side of the Atlantic. He thought they might have been more explicit on this subject in the speech from the throne, and he still trusted that in declarations to foreign powers there had been no ambiguity as to the course we intended to pursue. After highly eulogizing the conduct and language of the American president, and pointing out the vast opening which these new regions

would afford to our trade, the marquis concluded, that if the speech had been more explicit on these points, it would have met the cordial approval of that House, and of every person in the country, who duly regarded our honour and well-being.

On this topic, Mr Canning entered into a very full explanation. He repelled the charge of inconsistency, by observing that the conduct of Britain was founded on the principle of not interfering in internal contests, such as he conceived this between Spain and its colonies to be. The separation of colonies from a parent state could never give other countries a right to interfere by force of arms. A premature recognition would have the effect of encouraging resistance to the mother country. It was difficult to draw the line, and to determine when the newly independent states had reached that stage, when it would be unjust to withhold the solicited recognition. Undoubtedly, if we were to deal by Spain as others had dealt by us, we need not hesitate to recognise the independent states of South America. We might look back to the loss of our own America, and we should then see that others had not been so slow to recognise the independence of the North American states. But, instead of doing precisely as we had been done by, to do as we would be done by was the true maxim, and thus England had acted. He conceived that the mother country had a right to compel the colonies to submission. He was not blind to the physical impossibility of this now being done by Spain ; but the right was hers, and we should act unwisely, unjustly, and ungenerously, were we not to admit this right, and to allow a proper interval to elapse, in which she might make the attempt, before we decided on that step, which some were of opinion ought to be taken forthwith.



It would have been ungenerous, while Spain was engaged in a struggle with France, to have sanctioned any inroad on her colonial possessions; and it would now be ungenerous to do so before Spain could be regarded as fairly in possession of her own means, which was not the case at present, as, coming out of a war, she was seen in a state of comparative weakness and exhaustion. Ten months ago, ministers had declared their conviction of the actual separation, but observed, that the question of recognition must depend upon circumstances. He rejoiced that it had not been given during the period when Spain was distracted by a foreign contest; and his Majesty was still able to declare himself completely unfettered, unbound by any pledge or compact, and at full liberty to take that course which might be dictated by the interests of the country. On this subject our answer had been given to the court of Spain. It was now on its way to Madrid, and a time would probably arrive when ministers might be more explicit.

Lord Liverpool expressed the same sentiments, not quite at such full length.

Ireland was a subject touched upon at considerable length by the seconders of the motion, who were both Irish, and both expressed liberal sentiments as to that country and its present unfortunate condition. Lord Lorton conceived that the causes of the situation of Ireland were beyond the control of any ministers. They were perhaps to be found in the moral state of the people. From their natural capacities they had always been deemed capable of being made a strength and ornament to any country: but that fine population possessed none of the advantages enjoyed by the natives of this side of the Channel, and great allowances ought to be made for his unfortunate countrymen. One of their greatest

wants was that of the circulation of the Scriptures. It was prohibited by their religious ministers through the greatest part of Ireland, and the consequence was, that the people were left in a state of the grossest superstition, and imbibed a spirit hostile to their rulers. The noble marquis at the head of the Irish government had more obstacles to surmount than could have been expected. He had not flinched from them. He had applied his great talents to overcome them, and he sincerely hoped that he would succeed. Their lordships were not aware of the exact state of that country. It was there that an *imperium in imperio* was really to be found; and that *imperium* must be subdued and brought under before Ireland could be made what it was capable of becoming. He conceived that much might be done by the proprietors if they resided in Ireland, and encouraged a spirit of industry among the peasantry. Some were already adopting this system, and others, he hoped, would follow their example. He hoped much from the Ladies' Society for improving the condition of the females of Ireland.

Mr Daly, in the Commons, avowed sentiments particularly liberal on the subject of political privileges to be granted to the Catholics. The present improved situation of that country he thought he might fairly attribute to the administration; but, as he had before observed, much remained to be done. He could not forbear touching on one topic, which he considered as one of considerable importance. He meant the question of extending the benefits of the constitution to all classes in the kingdom; and especially to those who only knew of the existence of those benefits by the bars which excluded them from their enjoyment. He thought every other measure for improving the situation of the Irish people would fail, or at least

would be diminished in effect, unless that to which he had alluded were added; for every such measure must be offered to a divided people.

Mr Brougham, whose attention was engrossed by remoter subjects, hastily observed that some of the topics of the honourable seconder had given him unfeigned pleasure and delight; he meant the latter part of that honourable gentleman's speech, from which it appeared that at length government had determined to rule Ireland on some intelligible and consistent principle, not raising up and abetting one party to thwart the other in its endeavours to possess itself of those constitutional rights, which the honourable seconder had so truly and so eloquently said they knew not even the existence of, except by the bags which shut them out from their enjoyment.

The Marquis of Lansdowne referred to future occasions for the full discussion of questions connected with Ireland. At present he should content himself with observing, that a great deal had certainly been done to palliate the evils which prevailed there; but the root of the evil lay much deeper than the remedies yet applied were calculated to reach.

On this subject Mr Canning took occasion to declare his adherence to his former opinion on the subject of the Catholic question, and defend himself against the charge of inconsistency, because he acted with an administration, some of whose members were hos-

tile to it. He conceived that, among the present public men, a cabinet could not be formed, united upon that subject, and at the same time capable of acting together upon other great points. For this reason, even when the formation of a cabinet had been referred by the Prince Regent to Lord Wellesley and himself, he had made no attempt to form one upon this principle, but had immediately proposed that Lord Liverpool should be invited to become a member. He hoped that in time the prejudices which now existed would be reasoned down, and that a prospect of success would be afforded to the question, which, he was sorry to say, he could not see at present. In whatever shape, and by whomsoever brought forward, from him, whether in or out of office, that question would always receive the best support which he could give it, and which he had always given it from the year 1812.

Mr Peel here took occasion to declare, that his sentiments on this great point continued unaltered; while Mr Hume regretted the policy of ministers, as tending to perpetuate the divisions in Ireland.

There remained only the West India question, upon which, generally speaking, that reserve was maintained which had been so strongly recommended in his Majesty's speech; and nothing took place beyond some slight allusions.

## CHAPTER · II.

## FOREIGN POLICY.

*Views respecting the late Spanish Contest—Motion by Lord Nugent—By Lord John Russell.—The South American States—Part taken by the British Government—Question of Recognition—Motion by the Marquis of Lansdowne—Petitions in favour of Recognition—Debates.*

**ALTHOUGH** foreign affairs had ceased to excite the same intense interest as at the commencement of the former session, and all the hopes formed relative to foreign Europe had ended in disaster and disappointment, yet this subject still presented features of such importance as to give precedence to it over any other. The catastrophe of Spain was final, yet it could afford ground only for conversation and vague invectives, since any hope of dividing the House seriously upon the conduct of ministers with regard to that ill-fated contest, was out of the question. But the fate of the New World, and the policy of Britain with regard to it, being still in suspense, peculiar interest was felt in this question, both as respected the general cause of liberty, and the most important commercial interests of this country.

In relation to the Spanish campaign, the leading members of Opposition, after having given vent to their indignation at the conduct of France, with their disapprobation of the result, both in itself, and as affecting British interests, shewed an extreme reserve in coming into the field with any specific proposition. This task devolved upon Lord Nugent, whose qualifica-

tion consisted almost solely in that generous zeal for the cause, which had led him, without regard to considerable impediments, to quit the British shore, and take the field in the cause of Spanish liberty. On the 18th February, under the usual form of moving for papers, he took the opportunity of bringing the subject fully under the consideration of Parliament.

Lord Nugent began by making the most broad charges against ministers upon the subject of Spain. The policy which government professed to adopt towards Spain, was, from the outset, very little suited to the high and energetic tone which this country ought to assume to herself; and, on the other, he could not help thinking that our conduct, in not adhering to that intended policy, had been most insincere and unworthy. He could not persuade himself but that the course taken by ministers had been most hostile to the cause of Spain—that cause, with reference to which they had expressed themselves determined to remain neutral on several occasions. This country had been exposed, in consequence, to the reproaches of every friend of liberty, and to the scorn and contempt of those powers

who had, unfortunately, triumphed over the freedom of Spain. The government of this country had made themselves parties against Spain, at the most critical and important moment of her history. He would not now animadvert on ministers having given no support to the constitutionalists, or their not having taken a bold and decisive line at the Congress of Verona, or on their shutting their eyes to the cool disregard with which France treated their mediation. He was ready to admit, that the low and humble ground of neutrality which they had taken, was considered the best policy by the great bulk of the English people; but ministers had abandoned even this low ground. They had announced it as a reason for which we might take part in the war, if it was conducted on a principle of annexation; yet the edict which the Duke d'Angouleme published at Andujar clearly gave, it this character. Did he blame the Duke d'Angouleme for this act? No. He believed it was founded in humanity, and was demanded by the most immediate necessity; but he must say, that it was a declaration, as strong as terms could make it, "that the real object of the war was the annexation of Spain as a province of France." The Duke d'Angouleme became virtually viceroy of the Spanish provinces. Besides, the right honourable Secretary had declared, and had gained applause by the declaration, that, "come what come may, this country would never assist France in the invasion of Spain." But in less than a month afterwards, what was the surprise of the House, and that of poor, sacrificed, betrayed Spain, to see the British minister, accredited to the Spanish government at Seville, throwing himself into the hands of the Duke d'Angouleme and the French government; and stating the ground of that step to be, an act which the

Spanish Cortes had done in the management of the internal affairs of Spain! The moment Sir W. A'Court withdrew himself from Seville, it might be said that this government had published a proclamation against the liberties of Spain. If Sir W. A'Court acted here contrary to instructions, why was he not recalled and impeached? The Cortes, his lordship contended, had acted according to their unquestionable right, when they suspended for a time the regal functions. They had done no more than this House had done in 1810, on occasion of the illness of our late revered and beloved Sovereign. God forbid that he should be capable of introducing his name along with that of a wretch, who, unfortunately placed on a throne, was the scourge and abhorrence of his people; who visited them with the basest ingratitude for all that they had done, and for all they had forbore to do; who afforded the most finished specimen that perhaps ever existed in human nature, of all that was base and grovelling, perfidious, bloody, and tyrannical. Therefore he was a fit object for the tender sympathies of those powers who venerated divine right, and adored legitimacy. He hoped that much better opportunities would be given to that House, by the production of the correspondence with the Spanish government, to ascertain clearly what the real conduct of Sir William A'Court had been. Full as Sir William A'Court was of his unabated desire to mediate, at any moment, in a spirit friendly to Spain, he always contrived to place himself in a position where mediation was impossible. He allowed the time to pass away, when the government left Seville, until the blockade of Cadiz was commenced, which effectually prevented him from proceeding to that place, and he knew very well that Cadiz alone was the proper spot for negotiation. Where

was Sir W. A'Court from the period of the government leaving Seville, until the period of the investment and blockade of Cadiz? He was at Seville with the French army—the army of the Faith, and the Servile army. He was at Seville, when he must have known the encouragement which he was giving by his presence to the Servile army. He would state a circumstance which would shew the effect Sir W. A'Court's presence had on the Servile party. No less a proposition was made to him by an infuriated and sanguinary mob, headed by their priests, than that he should be made governor of Seville, in the name of the absolute King! The offer was declined, by his stating, that if so preposterous a proposal was again made to him, he must leave Seville. He (Lord Nugent) demanded why he had remained one moment in Seville with the French army, the Servile party, the priests, and their mob? This had been of serious detriment to the Spanish cause, and the hint had been taken by Morillo, Ballasteros, and every traitor in Spain. Then Sir William, from charitable and generous motives, he was willing to believe, had advised General Alava, whose patriotic, honourable, and high-minded character was above all praise, to save his own most valuable life from the wreck of his country. The withdrawal of General Alava, however, at such a moment, could not but have caused imminent danger, if not destruction, to the cause of liberty. The constitutional government at Madrid had made us most liberal offers in regard to South America, if we would have granted them our effective mediation; but all had been rejected, in order to gratify the more important consideration of enabling France to restore Ferdinand to the throne. Lord Nugent now drew a picture of the consequences which had resulted from our policy. French ves-

sels, he was informed, were admitted duty-free into every port of Spain, while heavy duties were still levied upon the ships of Great Britain. Bilbao, Malaga, Cadiz, Barcelona, Carthage, all were garrisoned by the soldiers of France; Bilbao and Malaga, which had long been the seats of British factories; Cadiz, perhaps the most formidable point for a naval force in the world; Carthage, proverbially the finest harbour in all Spain. He said “proverbially,” because there was a Spanish proverb which said, in the metaphorical style of that country, that there were but three safe harbours in Spain,—June, July, and Carthage. Then there was Barcelona, the key, in a military view, of the whole country. Barcelona was in the possession of the French, as well as all those other places which we had thought it worth our while, but a very few years since, at the expense of so much blood and treasure, to wrest from them.

Mr Canning did not make any reply to this speech, unless simply as it related to the charge against Sir W. A'Court. That ambassador had been furnished with the most ample instructions possible, but had, at the same time, been necessarily left to act according to his discretion, in the event of any unforeseen case. A case did occur, which no wisdom of man could have foreseen, viz. the deposition, for a limited period, of the king. Sir W. A'Court, certainly, had not been prepared for this event; and it would be rather a high demand upon the sagacity of ministers, to say that they should have anticipated it. Under such circumstances he, of course, acted for the time upon his own discretion. It was true, that Sir W. A'Court's continuance for a short period at Seville had been misconstrued by a factious party at that place, and that they attempted to make him an in-

strument in their hands ; but he had refused to become the instrument that was desired. Sir W. A'Court removed, first to St Lucar, and then to Gibraltar, from which he wrote home his intention to repair to Cadiz, in case the king should be restored to the exercise of his functions. Instructions, however, had reached Sir W. A'Court, and when the proper time came, Mr Caning and his colleagues should be ready to justify that instruction, which forbade Sir W. A'Court to put himself into a blockaded place. This blame, if there was any, belonged to himself and his friends, and not to Sir W. A'Court.

Mr Sturges Bourne defended ministers, and believed there was only one opinion, from one end of the country to the other, as to their policy in regard to Spain. He moved an amendment expressive of this opinion.

Lord Nugent made a short reply ; and though he admitted the full reason which he had to expect that his amendment would be rejected by a formidable majority, he conceived himself bound to press it to a division. It was negatived accordingly by the very large majority of 171 to 30.

Notwithstanding the ill success of this motion, Lord John Russell, on the 18th March, brought forward another, in which he moved for all papers which had passed between the English and French governments relative to the evacuation of Spain. This was evidently, and indeed avowedly, brought forward simply with a view to discussion ; for after Britain had allowed the French, without resistance, to occupy Spain, it was plainly out of the question, that she should go to war in order to drive them out. Lord John began with general censure of the passive conduct of England on the occasion, and contrasted it with the efforts made during the last war to deliver Spain from the French yoke. Spain, if left in possession of her con-

stitution, it was well foreseen, would, in case of a new war, have been found on the side of England. Hence it became an object with our rival to make the cabinet of Spain subservient to that of France. In this view she was seconded by the members of the Holy Alliance, who regarded with unbounded jealousy those free debates in this country, which made known to the world the sentiments of the people and their representatives. The speakers in that House, though much opposed to each other, all offended the members of the Holy Alliance ; the honourable baronet, the member for Westminster, the honourable member for Yorkshire, and the right honourable the Secretary himself, were all considered by them to be dangerous men, and friends to revolution. Their efforts had been already seen, to put down in Switzerland that freedom of discussion, which yet was on a very small scale compared to what prevailed here. His lordship closed with some observations on the contest between Spain and the American colonies.

Sir Robert Wilson entered into the subject at considerably greater length. He began with concurring in all that had been said by the preceding speaker. What he wished for Spain was, that she should be left to regulate her own affairs, and then the king would be compelled to have recourse to measures of conciliation, or to descend from the throne, which he would be no longer worthy to fill. Sir Robert stated, that Ferdinand had spontaneously promised to General Alava a full amnesty, and a moderate constitution ; and expressing a belief (in which we cannot concur) that these declarations were sincere, Sir Robert contended that the king ought to be regarded as a captive monarch, prevented by the French alone from fulfilling his contract. After condemning the too early declared neutrality of this country, which had

thrown a damp on the hopes of the cause, Sir Robert proceeded to comment on the circumstances which attended its downfall. The constitutional leaders, though not the best statesmen, were among the best hearted men in the world, and were entitled to our support, because they were the friends of civil and religious liberty. He would not say that the defence of Spain deserved all the admiration which some of the previous exertions of the Spaniards had won, nor would he assert that it had proved so satisfactory as it had been hoped that it would be found; but he still contended, under all the circumstances, that the misfortunes which had fallen on the Spaniards did not annihilate their claim to our sympathy and regard. If he spoke what he thought, he could not say the previous governments had done their duty, as they had deprived the nobles of their privileges; they had deprived the clergy of half their tithes; and, to supply the climax, they had made war on that very army by means of which their authority had been established. This last step, he believed, had been taken with a view of conciliating the Holy Alliance. He could not better shew what a state Spain had been in at the time of the invasion, than by describing the situation of Cadiz when surrendered. The lines round Cadiz were twenty-five miles in circumference, and were considered to require for their perfect defence an army of from 20 to 25,000 men, even when defended by superior naval means. When the French came last against it, after the taking of the Trocadero, where 1200 men were lost, the Spanish force was reduced from 9700 to 7500 men. There were no *chevaux de frize* about the place, and on the day of the surrender there were fifteen dollars in the Treasury. When the bombardment took place, no disorder was seen; men, women, and children came forward to encourage each

other; and, upon the whole, he maintained, the Spanish character had not been rendered unworthy of our esteem. The Spanish government had been censured for deposing Ferdinand. That measure had only been resorted to in order to save the king's life, for Ferdinand having resolved to give himself up to the French when at Seville, it was the opinion of General Alava and the whole of the Cortes that the step which had been taken was necessary, to prevent a sanguinary act of vengeance on the part of the people. Sir Robert bitterly reproached the Duke d'Angouleme for having given up Riego. Riego had perished; but his name would live in the hearts of thousands, while that of the Duke d'Angouleme, and of all his murderers, would descend to posterity with execration. He did not call on the ministers to go to war; but other means might be found to defeat the schemes of the Holy Alliance. Sir Robert then entered, perhaps at too great length, into the details of his own services and wrongs. For having rescued the Emperor of Austria from a situation of imminent danger, he had received the order of Maria Theresa, which had been renewed after his being foremost in mounting the wall at Dresden. The Emperor of Russia had taken the order of St George from his own neck, and placed it over his; and for his services at Leipzig he received the Spread Eagle of Prussia. Why, he asked, had these been withdrawn? and he appealed to the House, whether, if the Allied Sovereigns had been able to take the insignia from his dress, they had been able to put the stamp of shame on his brow. He enlarged also on the treatment which his wife and children had received in France, on a most unjust and improbable charge of being instrumental in carrying on a secret correspondence with the enemy.

Mr Littleton said, that he could ful-

ly allow for the feeling under which the gallant member had acted, and considered his conduct to afford one of the brightest modern examples of courage, gallantry, and chivalry. No man had a better right to exclaim against the insulted honours of Spain, than he who had so gloriously contributed to their support. As he did not see, however, any object which could be secured by the present motion, he proposed an amendment, declaring it unnecessary.

Mr Canning now rose,—and, alluding to the silence of the great parliamentary leaders, expressed his astonishment, that this motion, like a former one, should be doomed, after so much of menace and preparation, to this inconceivable neglect. He referred, with triumph, to the signal discomfiture sustained last year, after so much of vaunting anticipation. On the subject now brought before the House, no man, he believed, could ever conceive that a permanent occupation of Spain was intended, or would be permitted; but when the war had been once commenced, there was likewise no man who did not see, that there must be an occupation for a certain period. The question, therefore, now was, whether the time and the circumstances had arrived under which the noble lord could make out a case that called upon the House for an expression of opinion as to the evacuation by the French troops. The noble lord had declared, that no confidence was to be placed in the professions of France. France, however, had strictly fulfilled her engagements in regard to Portugal and to South America, and there was no reason for doubting, that she would do the same in regard to evacuating Spain. However he might expose himself to the charge of credulity, he did, nevertheless, declare, verily and in sincerity, as a Minister, and as an individual, that he believed France to be

at this moment anxious for the evacuation of Spain. He was also quite satisfied in his mind, that if it were put into his hands to say whether France should march out to-morrow, he should not consent. In justice he would say, that whatever there was of order, tranquillity, and safety in Spain, was owing to the presence of the French army. Carefully affirming that these acknowledgments altered no opinion which he originally entertained as to the vicious character of the aggression, as an honest man he must declare, that no example could be found for such conduct on the part of an invading army. That the French government were anxious for the evacuation, he was convinced. If it were fitting, indeed, he could now state the period at which they hoped to effect it; and it was one infinitely shorter, he was afraid, than could possibly be adopted. But the charge was, that the French being in possession of Spain, all its miseries and distractions continued. It was true, that the most rancorous feelings existed between parties; and there was this singularity in the situation of the French, that, instead of being the oppressors of those whom they had subdued, they had to restrain those whom they came to assist, and to whose hands they restored a power which threatened to become, without control, the instrument of persecution. He had hopes at one time that the government of that country would adopt wiser and sounder principles, but he feared, that every post diminished their strength. If it could be brought to a better sense of action, he believed France would wish to have the opportunity of withdrawing, and he was sure this country would not be backward in promoting that object, when its safeness became apparent. He believed France to be as ready to withdraw her armies as the noble lord was to see them retire. In referring to the manner in which go-



vernment had maintained its neutrality, the honourable speaker took occasion to satirize, in a very lively manner, the proceedings of some champions of the Spanish cause. With all the feelings of regard, which no political differences could remove, and with the highest admiration of the motives that prompted him, his honourable friend opposite (Sir R. Wilson) must allow him to say, nevertheless, that he had been one of the greatest impediments in the way of neutrality. The noble lord (Nugent), too, was an enormous breach of neutrality. The honourable general, as a private individual, did certainly appear in hostile array upon a part of the Spanish coast, and announced that he was to be followed by 10,000 men. Mr C. knew very well that the men did not go. But then the interference of the honourable general drew the war into that part of the country where it otherwise would not have penetrated. Now, all who, like him, were liable to the visitation of certain diseases, knew very well, that a plaster applied to the foot would bring the gout down from any other part of the system. So his honourable friend had been the blister to this part of the country. The consequence of this interference was, that the government felt themselves bound to explain upon this subject to the court of France. Thus they were reduced to the necessity of coupling their remonstrances with excuses, and of offering explanations, when they ought only to have been seeking them. The consequence necessarily was, that the government found itself fettered and restrained in its march, and unable to assume the commanding attitude, to which its own upright and candid measures entitled it. "Another luminary arose,—and, although not attended by so much military effect, yet, as I am informed, with, to the full, as much of military intention. I should not state these

circumstances to the House, were it not in the discharge of my duty; and that I had authority for the statements I am about to make. Some time about the middle of last July, as I am credibly informed, the heavy Falmouth coach was observed travelling, to its usual destination with more than its usual celerity—having two inside passengers. The one a lady of very considerable dimensions—the other a gentleman, chivalrously carrying out the succour of his weight to the sinking Constitutionalists of Spain. As I have likewise been informed, by the van of that day, (a conveyance for the more bulky articles, not of the human species,) there went down a box of the most portentous character and size. I know not whether, like the magician's, it possessed the power of transporting itself to distant places, at the will of its owner,—but it contained the uniform of a Spanish general, and a helmet considerably inferior in size to the fabled helmet of the Castle of Otranto. I suppose the King and the Cortes thought it was now at hand, but I know not how they were informed of the noble lord's approach, unless it was in the language of a very witty and illustrious ancestor of his, George, Duke of Buckingham, in his excellent farce of the *Rehearsal*. When *King Prettyman* and *King Usher* are besieged, a man enters and whispers to them, 'The army's at the door, but in disguise, and would bespeak a word with both your majesties.'—The right honourable gentleman then proceeded to say, that events soon terminated the war, and whether the noble lord threw his weight into the sinking scale of the Cortes or not, he could not undertake to say. If individuals would make enterprizes that embarrassed the proceedings of the government, and shackled their exertions to uphold the character and the interests of the country,

they must not expect to escape observation.

Sir James Mackintosh, roused, it should seem, by the taunt of Mr Canning against his party, made a short speech, in which he maintained, that the triumph of that gentleman was altogether imaginary. In amusing the House with the facetious part of Lord Nugent's journey, he had omitted to state the part which his lordship had taken, in rescuing from the dungeon, and perhaps the scaffold, Arguelles, and other illustrious patriots. He conceived the jealousy expressed of France by the noble mover was perfectly well founded, and that his motion ought to meet the approbation of the House.

Lord J. Russell made a short reply, but, too prudent to try the result of a vote, he allowed his motion to be negatived without a division.

This closed the subject; and though, as above-stated, we conceive any attempt to compel the evacuation of Spain by the French to have been now out of the question, yet we cannot forbear expressing our clear dissent from the language of approbation and applause used on the subject by Lord Liverpool and Mr Canning. The latter gentleman had already stated with reprobation the principle that the free institutions of Spain could only be held from the spontaneous gift of the sovereign, first restored to his absolute power.

Yet this was the principle to which France continued to adhere, after it had visibly produced its inevitable effect of reducing Spain to the most hopeless and tyrannical bondage. Although the position of the French government gave them the full power of dictating any terms to Ferdinand, they did not, in fact, draw from him a single measure, tending to produce good government or permanent tranquillity, in Spain. They made their armies observe good discipline, which was es-

sential to their own success; and they did something to mitigate, in individual cases, the violence of the evils which they themselves had brought upon the country. This, in so far, was no doubt something; but it afforded a very poor atonement for the abyss of slavery in which they had plunged that unfortunate country; and a very slender ground indeed, for a British minister to sound their praises in the face of Europe.

Dismissing this painful topic, we turn to another, presenting much more cheerful circumstances and prospects. From the continent of Europe, whose fate appeared now fixed, the public mind turned with deep interest to the fate of the vast states newly formed beyond the Atlantic. To regain possession of these was still the darling ambition of Spain; to attain which, she was calling for the aid of the allied powers, who were nothing loath to afford it. They had in fact pronounced the state of affairs in America to be contrary to all the principles of legitimacy; and they had loudly proclaimed their determination to support these principles, at whatever cost, and in whatever quarter they might appear to be endangered. An expedition of 20,000 French or Russian troops, ably conducted, and combining conciliation with force, would, it was felt, have found very little in America able to resist it. To the fitting out of such an expedition there could be no obstacle sufficient to weigh against the brilliant results which it was likely to produce, both as respected the individual interest of these nations, and the general support of the monarchical principle. It might, therefore, be considered clear, that unless some barrier was interposed, such an expedition would certainly be undertaken. The United States, indeed, had proclaimed, in a very decided manner, their purpose of resistance against any interference between Spain and her co-

lonies ; but the slender army, and the infant navy of that power, would have been viewed with disdain by the mighty lords of the European continent. It was to Britain only that the world could look, to interpose with effect in so mighty a peril. To the course which her administration was to pursue, the nation and the world looked with intense interest ; since they saw deeply involved in it, not only the interests of liberty and human improvement throughout the world, but also, what Britons are never accustomed to forget, some of their own most valuable commercial interests. We do, however, verily believe, that the former was, at this moment, uppermost in their mind.

Ministers lost very little time in laying before the nation a full *exposé* of the principles upon which they were prepared to act in regard to this grand question. On the 4th March, they laid before both Houses, the official communications which had passed with the French administration. Mr Canning, it appears, had stated to the Prince de Polignac the opinion, "that any attempt to bring South America again under its ancient subjection to Spain, must be utterly hopeless ;" that negotiation or war would be equally fruitless ; that Britain, however, would remain strictly neutral in any contest between Spain and the colonies ; but that the junction of any foreign power with Spain, "would be viewed by them as constituting an entirely new question ; and one upon which they must take such decision as the interests of Great Britain might require." There was something a little vague in these last terms ; but they were evidently, according to diplomatic language, understood as implying, that Britain would not hesitate to employ her utmost means in opposing any such junction. Mr Canning expressed the readiness of Great Britain indeed to be the mediator

of an accommodation between Spain and her colonies, on the footing of a commercial preference in favour of the former. Meantime, she could not, and was determined not to give up the intercourse actually carried on with those countries. Nay, she did not pledge herself to withhold, or even long to delay, a formal recognition of the independence of these new states.—In reply to these declarations, the French ambassador made the full and important disavowal of every intention of acting against the colonies by force of arms. It was the wish, however, of France, that means should be employed to induce the colonies to admit that monarchical form of government, which the allied powers took such an anxious concern in establishing throughout the world. Britain, however, declined being a party to such an object, or making it a condition of future recognition.

Such was the bold and high ground on which Britain placed herself. She declared herself prepared to oppose, even by war, any confederacy which might be formed for the purpose of bringing America again under the Spanish yoke. It was certainly a very serious and solemn consideration, thus to put the nation to the hazard of a contest with the whole European confederacy ; and we have no doubt the consequences were more seriously pondered by the ministry than by the nation and its orators. We do not hesitate, however, to concur in the opinion, that there were objects at issue for which it was worth encountering the mighty hazard. Not that we join with the commercial world in considering the British interests at stake, though considerable, as alone sufficient. Commerce acts like a magic sound on the British ear ; yet even for the solid and permanent benefit of commerce, nothing can ever come into competition with peace. Compared to its all-powerful influence, a vent even for millions

of British goods, if placed in the opposite scale, would be found light. Besides, we do not conceive that any arrangements could have taken place, by which America would be sealed, as it had once been, against access to the general shipping of Europe. To render, then, these British interests sufficient, it was necessary that they should be reinforced by others derived from the general interests of liberty and humanity. These are motives congenial to the heart of Britons; and they are such as we ourselves are at all times willing to admit as elements in a political calculation. Taking the two principles together, there appear clearly to be grounds sufficient for Britain placing herself in this high position as the bulwark of American independence. That Spain, now replaced in full plenitude of despotism and bigotry, should be allowed to set her foot on the states formed in these vast regions, and to crush all their rising hopes, was an evil of such magnitude as to justify very great sacrifices in order to avert it. But it is tauntingly said, the same motives existed to defend Old Spain against France and the continental confederacy; and you act upon totally different principles in the two cases. If it were so, the having done wrong once would have been no reason for doing wrong again; but we have stated formerly, at full length, our grounds for thinking the two cases quite different. A military interposition in Spain would have taken us out of our natural sphere; it would have involved us in boundless expenses, without the means of making good our object;—for we never could have landed in Spain an army which, left alone, as it would have been, could have matched the combined armies of Europe. But the war to be waged in support of America, would have been a war on our native element, in which we might have looked forward almost to certain

triumph. Accordingly, the mere threat of this war, coolly and politely intimated, paralysed at once all the mighty schemes of the Holy Alliance. Though they continued to gnaw the rein which held them, they made no attempt to shake it off. America was left to contend with the forces of Spain alone, which it must be her own egregious fault if she do not successfully resist.

Britain had already sent consuls to the new states, to watch over her interests; a step by which their existence *de facto* was recognised, and even admitted to be not wholly illegitimate. But the question now arose, whether a formal recognition ought not to be made, and a regular diplomatic intercourse opened? and this became the leading debateable ground during the session. Had this recognition been decisive of the destiny of those states; had it even been of any powerful influence in securing their independence, no one should have been more anxious for it than ourselves: but when it was a mere form and name, unaccompanied with any pledge of military aid beyond what has already been stated, we do not think it worth talking much about, or running serious hazard on account of. The governments of Naples and Spain had both our recognition, which did not delay their fate for an hour. In the deeply serious and important step of declaring our determination to resist foreign interposition, we braved the whole wrath of that mighty confederacy which now domineers over the continent. The adversary yielded, and we gained all that was essential; but if we kicked too hard against these proud leaguers, were we sure that they might not turn upon us, and determine, at whatever cost, to endeavour to carry their object of subjugating America?

Notwithstanding these considerations, the idea of recognition was rather

a favourite with the public, who coupled it with a confused idea, that the independence of the South American States would be thereby established, or at least placed on a much surer basis than hitherto. In the two Houses, the Marquis of Lansdowne and Sir James Mackintosh announced motions upon the subject. The first, on the 15th March, came into full debate.

Lord Lansdowne described himself as oppressed by the weight of this subject, which he had only been deterred from formerly introducing by the struggle in which Spain was engaged, and which would have made it ungenerous to interfere. After the production of the papers laid before the House, he found his own views confirmed and strengthened by arguments and sentiments, stated more ably than he could have done, for he was happy to say, that in those documents he saw much to applaud, and, with one exception, very little to condemn. He thought himself entitled to call upon their lordships to agree to an address, praying for the immediate recognition of South American independence. His lordship then drew a picture of the actual position of these states in regard to the mother country. In Mexico, which contained seven millions of inhabitants, and extended from sea to sea, for the last two years there had not been found one Spanish soldier, except a garrison of 400 men in the Castle of St John of Ulloa, detached from the land, and by its situation able and likely to hold out some time longer. In Guatimala, which was the next state towards the south, there was not one Spanish soldier. In Colombia, which extended from the Orinoco to the Isthmus of Darien, after a series of contests which had lasted thirteen years, and since the reduction of Porto Cavello last autumn, there was not one Spanish soldier. In the state of Buenos Ayres, for the last twelve or four-

teen years, no attempt had been made by the government of Spain to shake the established order; and the state of the public feeling in that country might be ascertained by the fact, that although there had been changes of administration and government, in no one of them had the least disposition been manifested to call in the power of the parent country. In Chili, for the last four years, not a Spanish soldier had existed, except in a small island on the coast, which had an European garrison. In Peru, public events had revealed that a considerable party existed in favour of Old Spain. There was still in that province an army of 7000 men, under an able leader, who had even obtained some successes in consequence of misconduct in some of his opponents. But that army, unsupported by Spain, could not extinguish the independence of Peru, supported as it was by the presence of General Bolivar, who had carried with him all that genius and vigour which had distinguished his administration in Colombia, and had formed a close compact between the two countries. Such was the state of those colonies. Was it within the range of human possibilities, that after their independence had been established for fifteen years, they should ever return under the domination of such a power, not only as Spain now was, but as she must continue to be for twenty years to come; and that a population of ten millions, under such circumstances, should be able to subdue one of seventeen millions, fresh in the possession of national independence? These countries had been characterised by the Prince de Polignac as in a state of anarchy, presenting only false and dangerous theories. Colombia, however, had formed a constitution calculated to exclude the multitude, and founded on the basis of property and education. It had formed complete establishments for parochial

instruction, and had made arrangements for the gradual manumission of all the slaves within its territory. Its stock fluctuated between 67 and 82, while that of Old Spain was from 18 to 22; and even its old acknowledged debt did not exceed 52. His lordship then dilated on the advantages which Britain might derive from intercourse with a country containing a population of 21 millions; and which, from its vast extent and natural resources, admitted of the most rapid increase. It was to this quarter that we ought to look for an accession of power, which might counterpoise the establishment on the continent of a system from which we were excluded. His lordship did not conceive that the exercise of our right of recognition would involve any danger of embroiling ourselves with other states, or that the recognition of a *de facto* government ever had led to such an issue. Why linger on the threshold, when entrance was justified by every right, and invited by every state? Why not assist at the birth of their independence, and become connected with the first sentiments of gratitude which it would inspire? By no conduct, on the part of any European power, could that independence be prevented. Could Spain, situated as she was in the occupation of a foreign army, and long after it should have ceased, make any successful attempt to recover possession of those immense regions, and to re-enthral that population which had drunk the waters of immortality and tasted the ennobling joys of freedom? As well could she turn their mighty streams that flowed toward the ocean back to the snowy mountains from whence they proceeded, as prevent civilization and independence from spreading from ocean to ocean, from mountain to mountain, over the whole extent of that vast continent. Though open hostility would thus be vain, concealed and insidious attacks would cer-

tainly be resorted to, which might have the effect to embarrass and retard their consolidation; and in such circumstances, the recognition of England might have influence to produce harmony among themselves, and augment their weight with other powers.

The Earl of Liverpool fully admitted many of the general principles laid down by the noble marquis. Though much indirect and circuitous intercourse had always existed with the American States, this was no doubt likely to increase greatly, when it became direct. As to the notion that Spain, in her present condition, or even as she had ever been, could have the means by her own power of reconquering her colonies, he regarded it fully as chimerical and absurd as the noble marquis had done. His lordship now took a general review of our relations with Spain: When we undertook, in 1808, to assist that country against the usurpation of Napoleon, the integrity of the Spanish dominions was proclaimed as the object of our policy; and the course thus taken met with general applause. When the insurrection first spread to America, it appeared doubtful, whether or not it would lead to a separation from the mother country: when this was decided in the affirmative, there was but one honest course for us to pursue, and we had taken it. We had the advantage of a free trade with South America, and Spain could not refuse it; but from 1810, when the first notice was had of the rising in these provinces, we offered our mediation to the provisional governments, in order to attempt a reconciliation between the mother and her colonies; and it was most material to observe, that from 1810, and during the whole war, and after it—whether Spain was governed by a provisional junta, by the cortes, or when the king was restored, this country never swerved from its duty or from sound

policy, (for they are connected together,) but still pursued its object of reconciling these countries on fair and reasonable principles. But under every system of government, Spain declined the mediation of Great Britain. There might be reasons in human nature; but he could not help remarking, that if there were any difference in the pertinacity with which the offers of this country were received, that was most conspicuous the more constitutional the government was. Spain having declined our good offices, government at length took a step which went directly to the recognition of American independence. By the third of the King, chapter 40th, it was ordered that the vessels and flags of those provinces should be received in all our ports as those of independent states, whereas by the Act of Navigation the trade with them had till then been carried on in British vessels alone. By this act they were recognised as independent states, and his noble friend (the Duke of Wellington) had been instructed to explain our policy at Verona, and to announce that it would be followed by other steps, of which due notice should be given to the allied powers. From the time of this practical recognition, it was acknowledged that every advantage of commerce had been given to this country, and every advantage also had been enjoyed by the South American states. In December 1822, it was intimated to be the intention of this country to send consuls to the different ports of Spanish America. There was a generous delay in sending these consuls, but he thought it more delicate to suspend their appointment for a few months, than to make it during the heat of the contest with France. Consuls had since been appointed.—“My lords, this is not the whole. We did that not for them only, but for our own interests as well as theirs, which was worth a thousand words

and phrases, and a thousand acknowledgments of independence. It has been stated, that any design of the other powers of Europe was checked by the Message of the President of the United States of America. What effect that had is not for me to presume to say; but weeks before that Message was delivered, this country did distinctly declare, that though it was neutral between Spain and her colonies, it would not see with indifference any foreign power interfere in the contest. And thus this country did further obtain from France a complete abjuration of any design to make an attempt by force of arms against any of the colonies of South America.” Everything had therefore been done, except the opening of a diplomatic intercourse. This was a point belonging to the crown; and he did not think the king's government had shewn such abstinence, such neglect on the subject, as to constitute a ground for the special interference of Parliament. He did not think government had a right to take such a step in any country where the contest was still going on, or even where there was a strong party in favour of the mother country. “Considering the connexions we have had with Spain, and the part we have taken in the contest, I think it a gentlemanlike course to give to Spain the opportunity of doing that in the first instance. Government have gone very fast to the recognition of the American States, farther and faster perhaps, some might think, than necessity required; they have exposed themselves to risks, and secured every substantial good. We are in progress to what the noble lord desires; but I say we ought to do it in a handsome and liberal way; we have shewn affection, good will, to the colonies; we have shewn we are determined they shall not be trampled upon by alliances and confederacies—whatever their names, or however for-

midable. We are keeping it in the hands of the crown, where alone it should be placed; and I think it necessary to conclude this subject again by referring to what I have already stated, that as we have kept ourselves unfettered hitherto, we will keep ourselves unfettered in future; we will keep this question in our hands as against Spain, as against the Holy Alliance, to exercise our own legitimate discretion."

Lords Ellenborough and Rosebery supported the original motion; while Lord Calthorpe defended Lord Liverpool's amendment. The Marquis of Lansdowne declared he had seen no reason, from the speech of the noble lord opposite, to alter his views. There was no chance that Spain, though the shadow of what she had been, degraded and debased in the eyes of the world, would take the lead in acknowledging the independence of the colonies. This was the time for us to call out all our resources, and to take that station in the world to which we were entitled. He was determined, therefore, to press his motion,—which was negatived by 95 to 34; a minority which, in the Upper House, might be considered as very respectable.

The views of government were still farther developed in the debate on the motion of Lord William Russell respecting Spain. His lordship then took occasion to advert to the question of South America, and stated that he did not conceive there was any ground to prevent Spain from reducing her colonies if she had the means of doing it; but it was not to be permitted that she should do this herself while foreign troops remained in her territory. Let the French troops evacuate Spain, and then let the whole army of Spain proceed to South America, with King Ferdinand at their head, if he chose to go; but he hoped they would not allow the French to attack their colonies

under false colours, by sending forth a Spanish army while French troops remained in Spain.

Mr Canning replied he was not indisposed to admit this as a question of degree. If, while France occupied the Spanish territory, any extensive levy of Spanish troops was made for such a purpose, that he conceived would be a proper subject for inquiry and explanation.

Sir James Mackintosh had held a motion similar to that of Lord Lansdowne for some time suspended; but, after several delays, he came forward on the 25th of March, and observed, that since his first notice, some important declarations had been made by ministers. He alluded particularly to the intimation, that if any considerable armament should sail from Spain for South America, while the French army remained in Spain, such armament would be regarded by the British government as French. He had heard also, from a source which he considered trustworthy, that one of the great powers had declined being a party to the threatened Congress. He therefore withdrew his motion, looking to government for an early recognition of the independence of the South American States, and reserving the right of giving a new notice on the subject, if events should seem to require it.

In the course of the session, the cause of South America gained very considerably in the public mind. In the mercantile world, and among politicians animated by popular feelings, a stronger and stronger impatience was felt for the recognition. According to that loose mode of reasoning which is current in newspaper paragraphs, and the debates of clubs, the recognition by Britain, instead of being a mere form, was viewed as placing on a fully assured basis the independence of the American States. Moved by these impulses, the merchants of Lon-



don, Manchester, Liverpool, and other great commercial cities, sent up petitions to Parliament, soliciting the fulfilment of their wishes. The London petition was presented on the 15th of June, by Sir James Mackintosh. It was signed by a hundred and seventeen merchants, among whom were found the names of Baring, Lubbock, Shaw, and others of the first eminence in the commercial world. They represented, that the extinction of Spanish authority in the new world, and the declarations of government itself, had encouraged them to invest many millions of capital in the South American trade. Large establishments had been formed; and there was every appearance, that this intercourse would admit of much farther extension. They described themselves as greatly embarrassed by those countries remaining without any recognized political existence. Not a week passed, but they were assailed by rumours of the most alarming kind, involving their proceedings in doubt, hesitation, and distraction. They therefore petitioned, that the House would immediately adopt the proper measures for procuring the recognition of the independence of such of the states as had *de facto* established it.

In the language here used, there evidently prevailed too much of that erroneous estimate of the importance of the measure to which we have alluded. Those doubts and distracting rumours of which merchants complain, did not depend upon the want of the recognition of England, and would not be removed by obtaining it. They were connected with supposed attempts, on the part of Spain, to recover these colonies; still more with supposed plans, and supposed congresses, on the part of the Holy Alliance, to do that for Spain which she could not do for herself; partly, also, with the internal movements of that vast con-

tinent; in none of which respects the recognition of Britain would have made any change.

Sir James Mackintosh, who undertook to canvass the subject, took a much more correct view of its bearings, and made really a very temperate and judicious speech. He stated, that his object was not to go into the vast question which this subject opened, but to gratify the public wish, that the session should not close without some explanation being obtained relative to it. The present petition, which did not impute any censure on the actions of government, and was not intended to promote the purposes of party, appeared to afford the best opportunity for introducing such a discussion. Looking back to the state papers formerly laid before Parliament, Sir James observed, it might be matter of regret, and it was admitted to be so in the documents themselves, that so much forbearance had been shewn to the feelings of Old Spain in this affair. In every other respect he could not but applaud these documents. He should ever consider that they contained the most grave maxims of international law, urged by the most unexceptionable arguments, and expressed with that precision, circumspection, and dignity, which would ever render them the models, as they were the master-pieces, of this kind of writing. As these papers had been much misunderstood, he thought it necessary to go somewhat into the meaning of the term recognition. There were two kinds of recognition, quite distinct from each other. One, which formed the true legitimate recognition, was, by the party formerly holding sovereignty, acknowledging the new state as independent; and such a recognition Spain had been compelled, though most reluctantly, to make, both in the case of Holland and Portugal. Our recognition was of a quite

different nature, and made no change in the law, as it stood between the parties. It would be making no alliance with these states, it would be giving no guarantees, no aid or assistance, no approbation of the means by which they obtained their independence. He thought we ought not to scruple to deal with the government of South America, as with a government possessing power over a considerable portion of the waters of the globe, and no small extent of the land. The recognition of the United States of North America was wholly an advantage to the party recognized. In the present case he called for the recognition of the South American States, not for the benefit of those states, but for that of British subjects, that they might be enabled to proceed with their commercial pursuits in an easy, orderly, regular way, and that differences which should at any time occur might be more readily adjusted, and thus prevent the breaking out of a new war. Sir James observed how very slow Spain had always been in recognizing the independence of the states which threw off her yoke; but the rest of Europe had never thought it necessary to wait for her. It was in 1581 that the States of Holland declared themselves independent, but it was not till 1648 that the pride and obstinacy of the Spanish government were so far relaxed as to lead to their formal recognition by the treaty of Westphalia. Did the House believe that all this time the rest of Europe looked quietly on, and formed no relations of commerce with the states of Holland, and made no provision for the speedy adjustment of differences which might arise, because Spain refused to recognize the independence of such States? Such was not the case. All Europe received ambassadors from them, and all Europe sent ambassadors to the Hague. The Prince of Braganza was

placed on the throne of Portugal in 1604, and in thirteen months he was acknowledged by England, though it was twenty years before he could obtain the recognition of Spain. In this country, when Cromwell was created Protector, all the powers of Europe sent ambassadors to England. For this no complaints were made when Charles the Second was restored to the throne of his ancestors. Why?—Because the necessity of doing as they had done was admitted. They sent ministers to watch over their own interests, and by this had expressed no opinion against the rights of Charles II.; they had offered no insult to the claims, and committed no outrages against the authority, of the heir to the crown. France, in regard to the North American States, had offended England, not by entering into a treaty of peace and amity, but into an alliance offensive and defensive with them. Upon the whole, the honourable speaker declared his high satisfaction with the declarations put forth, both by this government and that of the United States. There was one point on which they both agreed, that while the war continued between Spain and her colonies, neither had a right to interfere; but if Spain should be put forth as one of the fangs of the Holy Alliance, if that beast of prey (the Holy Alliance) should attempt to use Spain as one of its fangs, to extend the arbitrary authority, baneful influence, and detestable principles, over America, which they had unfortunately but too well succeeded in spreading over Europe, that they would be resisted in both countries. Liberty would resist them in America; liberty would rise up against them in England. He admired the state papers called forth from the present ministers on this occasion, but no government that ever existed could have acted here in opposition to the principles on which they were found-

ed. The present petitioners contended, that the recognition of South American independence would be no breach of neutrality, and he concurred with them, and was confident that no power in Europe could be so impudently unjust as to complain of it, much less to venture on any attack on the policy of England, formidable as she would be in such a cause. He threw out of his consideration with disdain all that the Holy, or Unholy Alliance, might presume to urge in such a cause. Having said so much in favour of the recognition of South American independence now, he thought it right to say, that he did not use that word in a metaphysical sense. Some pretended that there was no present tense. He, when he said now, meant, in a very short time. He thought countries extending from California nearly to Cape Horn might be considered to embrace a moderate and respectable territory. In this vast extent what stand did Old Spain make? She had a castle in Mexico, a little half-desert island in Chili, and a small army in Guatemala. Now, such being the state of things, considering them as separate states, what objection could there be to recognize Colombia, where there was once a great Spanish army which had completely failed, and been wholly annihilated or driven away? Three republican assemblies had held their sittings since the Spaniards were repelled. In Buenos Ayres, not a single Spanish soldier had been seen for ten years, and Mrs Graham's description of Chili pointed it out as a state, the independence of which must soon be recognized. In saying that we would not recognize a country till it had attained a stable government, we should proclaim, that we had two weights and measures for America and Europe. While we declined recognizing as independent the South American States, we recognized Spain as such, though she was not tranquil;

and when she was overrun by a foreign army, which it had been stated in that House it was humanity not to withdraw. He believed there were from sixty to one hundred houses of trade established in South America. Our commerce there had rapidly increased. From the petition received from Liverpool, it appeared that its amount, which was in 1822 L.3,800,000, rose in 1823 to L.5,600,000, being an increase of L.1,800,000 in value, and that, too, in the course of a single year. The exports of cotton to North America had largely increased, but the increase in the exports to South America was still greater. The increase of the former in one year had been L.1,000,000. This increase in the latter case amounted to L.1,000,000. He referred to Captain Hall's book in terms of warm praise. This, he thought, completely proved the importance of extending our commerce in that quarter, and of doing all in our power to civilize South America. Sir James concluded with pointing out the important extension which British commerce might receive from those vast regions continuing open to it.

Mr Canning rose, as expected, to give that exposition of the sentiments and views of ministry which it was the object of Sir James Mackintosh's speech to elicit. With the general tenor of that speech he had reason to be satisfied, but was unwilling at present to enter in detail upon the subject. He took a view of the successive steps adopted by the British government, the result of which was the being at perfect liberty to make the recognition, whenever they should find it advisable, without asking any consent on the part of Spain. Still he thought it a point of courtesy, and in various respects desirable, to take that country along with us. It was only the recognition of the mother country which could confirm the independence of the

American States; and that recognition could not be forced. Thus he thought his learned friend furnished the clearest argument in favour of the course which his Majesty's ministers had taken, in withholding the minor recognition, in the hope that, when given, it might be accompanied by that of the parent state; recognition by England or any other power would not carry with it the force of a recognition by Spain. He was afraid the simple fact of recognition had been misunderstood both here and on the other side of the water. Though nothing was more simple than to ask for recognition, recognition was often claimed, from the expectation that consequences would follow which did not necessarily belong to it. Great as the boon of recognition might be to any new state, it would be a fatal concession if it were given in one sense, and taken in another—if the simple acknowledgment of independence were to be taken as the pledge and promise of future co-operation and alliance. At home, many persons connected with the commercial interest, expected that recognition by England would have the effect of confirming the existing governments of South America more than they could be confirmed by the recognition of any single power. He was, therefore, most anxious that no misconception should prevail in this respect. Without making it an absolute condition that the new states should possess a stable government, it must yet be admitted, that some precautions were necessary. His learned friend was aware that it was matter-of-fact information. As yet, the government were not in the possession of all the information which they desired. Even with respect to that which the learned gentleman had mentioned as having lately taken place in Colombia, he knew nothing but from the channels through which it had been com-

municated to his learned friend. Government adhered to all their former views upon this question; but they conceived, that the forcing it at present into discussion would not tend to advance, but to retard the desired result. Mr Canning closed, with stating that the British government had received and rejected a second application to become parties in a continental congress upon the affairs of South America.

Mr Brougham expressed his particular satisfaction with the last piece of information. When it was said that government waited for authentic and official information, he supposed Parliament might understand the information derived from their own accredited agents. When intelligence should be received from them, announcing that any one of those great and free countries had established for itself a substantial existence independent of old Spain; then forthwith, upon that assurance, an acknowledgment of the independence of such state should issue from this government. That acknowledgment could not be viewed as any breach of neutrality, and could not have the effect of involving us with the mother country. But by no possibility could our conduct be canvassed by any other country. There was no shadow of ground upon which France, or Russia, or Austria, or Prussia (God help us!) should presume to ask why he had taken such a course. He alluded to the inconvenience at present sustained in regard to proceedings in courts of justice, and the want of security to the parties who had contracted loans with those unacknowledged governments.

Mr Canning here put in a notice, that without denying the rights, or blaming the conduct of those who thus lent their money, he might mention, that there would be no clause or condition required in the recognition by which those

governments would be bound to discharge the debts so incurred.

Sir Francis Burdett did not allow the debate to drop without a sally against ministry. He could not understand the refinements and shades of recognition which had been dwelt on with so much labour; to him recognition was a very simple word, bearing a very simple and obvious meaning. He therefore thought there must be some further motives for the delay than were brought forward. All that the right honourable gentleman said amounted to this, that ministers had not made up their minds as to what

measures they intended to take. But he had heard that the Lord Chancellor had declared that he would not recognise the independence of South America. This let in some light upon the delay. The animosities and heats which suspended the measure were not raging in Mexico—they existed nearer home. It was in the cabinet they were formed—as must always be the case in a cabinet so formed, divided as it was upon every great question, whether of foreign or domestic policy.

The debate hereupon closed, and no farther proceedings on the subject took place during the session.

## CHAP. III.

## FINANCE.

*General State of British Finance.—Plan proposed by the Chancellor of Exchequer.—Navy, Army, and Ordnance Estimates.—Taxes proposed to be reduced.—Coal—Rum—Leather—Salt.—Motions for the Repeal of the Assessed Taxes—By Mr Hobhouse—Mr Maberly.—The Budget.*

MINISTERS had this year every prospect that their financial career would be smooth and favourable. This branch of public economy was in that prosperous state, which, requiring no demand on the public purse, but somewhat the contrary, left little opening for discontent. Mr Hume's research into the details of public expenditure having now been extended, over and over, through all its branches, there remained little which had not been met in some shape or other. His strictures, therefore, were likely now to be both fewer in number, and more easily answered. All this, however, did not secure ministers from some difficulties, and having some combats to wage. From the experience of several successive years, the nation had acquired the habit, of looking for a successive, and even augmenting reduction, of the public burdens. Its expectations had now risen so high, as to embrace the entire remission of the assessed taxes, which, though not, perhaps, the most really burdensome, have always been the most heavily felt, in consequence of being directly paid out of the pockets of the consumer. The plain truth,

however, is, that if we except the income tax, against which the claim was certainly fair, the public had no right to look to the remission of any other tax, as the result of peace. With that exception, the war had been carried on by loans, not by taxes; and the provision for the interest of these loans, and for their gradual extinction, stood quite as much in need of being continued after peace as before. If taxes had been taken off, it had been by temporary and casual operations, not admitting of repetition. The only farther source which could now be looked to, was the increased revenue arising out of the newly begun and slowly advancing public prosperity; but which could not amount to much in any one year. The boon which ministers had to give was thus limited, and the mode in which they distributed it afforded ground for controversy. A considerable portion of it was destined, less to act upon the accommodations and enjoyments of the bulk of the people, than to liberate some particular branches of industry, from the restraints under which they had laboured, and to smooth down the withdrawing from others

monopolies which had been conferred upon them contrary to sound policy, and to the general interests of society. This was not only a system less generally popular, but it was one which, from causes that will fall to be remarked in the chapter on commerce, excited even the dissatisfaction of numerous classes.

Although ministers, when pressed on this subject at the opening of Parliament, declined giving more than very general intimations, the Chancellor of the Exchequer was not long of presenting the House with an outline of his financial project for the year. This, he observed, it had been usual to defer till near the close of the session, prior to which time it had been impossible to estimate the fluctuating expenses which were likely to arise out of a state of war. At present, however, when the view was plain before them, he thought it desirable to lose as little time as possible, and to give Parliament full opportunity of considering the proposed measures. On the 23d February he made the following *exposé* :—

According to papers already laid before Parliament, it appeared that the net produce of  
revenue had been £63,415,529 10 0 $\frac{1}{2}$   
The expenditure . 56,704,607 19 7 $\frac{1}{4}$

£6,710,921 10 5 $\frac{1}{2}$

From this balance, which might be roundly estimated at about 7,000,000*l.* there was to be deducted 5,000,000*l.*, to be appropriated to the payment of the national debt ; and, on the whole, there would be left a surplus of 1,652,000*l.* to be appropriated by government, with the sanction of the House. He would now proceed to a review of his estimate of last year, and the real produce of the present. He had estimated the customs at 10 $\frac{1}{2}$  millions. They had produced 11 $\frac{1}{2}$  millions. The excise had not come up to his

estimate ; he had made the estimate 26 millions. The produce had been 25,342,000*l.* But this falling off had been in consequence of 130,000*l.* allowed upon the malt duty returned, 380,000*l.* upon hop duties not received ; and of the alteration in the distillery laws of Ireland and Scotland. He was happy to say, however, that the consumpt of exciseable articles had partly increased, which showed the prosperity of the country, and the increased ability of the lower classes of persons to indulge in those commodities. He would now proceed to state the ways and means for the next year. He took the customs at 11,500,000*l.* ; the excise at 25,625,000*l.* ; the stamps, assessed taxes, land tax, &c. as they stood in the last year. The honourable gentleman then proceeded to advert to the Austrian loan, which, he said, he considered as a God-send, and therefore he was persuaded the House would not begrudge to apply it to some objects, which otherwise it would be difficult to effect ; amongst them, he should, in the course of the session, propose 500,000*l.* for new churches ; 300,000*l.* for the repair of Windsor Castle, 150,000*l.* during the present year, and 75,000*l.* for the two following years. He should also propose to vote a certain sum for the King's library, upon which subject much discussion arose last year. Every one seemed of opinion, that the building thus to be erected should be worthy of the state of the arts in this country. He had to state to the House, that an opportunity had occurred of purchasing, for the decoration of this building, the gallery of pictures belonging to the late Mr Angerstein, at the sum of 60,000*l.* He should therefore propose to take a vote for that sum also out of the Austrian loan. If the House should sanction this expenditure, the surplus would be 2,763,000*l.* ; but before he stated the way in which

that would be rendered available, he must remind the committee that the credit of the country had much reduced the rate of interest; and, as we had no prospect of foreign war, we might reduce the 4 per cents, which amounted to 75 millions. It was proper to state, that there was no necessity for the government to give any notice that the 5 per cents should be reduced. Therefore they only required a month's notice of dissent. In the 4 per cents, a notice of six months must be given, if they applied to the principle of assent. What he proposed was, a notice to pay off in six months the 4 per cents, except to such who in six weeks should agree to receive 100*l.* in 3½ per cents, instead of 100*l.* 4 per cents. If one third assented, there would be 50 millions to be paid off in October. If the contrary, there would be but 17 millions to be paid off in October; and he proposed that the new 3½ per cent stock should not be paid off for five years. This was not to be done without some advantage, and therefore he gave the bonus in the time to which the stock was to continue, rather than in money. The result of this would be an annual saving of ½ per cent on the interest, and that would be 375,000*l.* a-year. He had now to ask the House to accompany him a little farther than the present year; not that he could prophecy, but, looking at a continuance of peace, at the end of 1827, we must arrive at an increase of revenue by the provident and watchful care of Parliament over the public expenditure. He then took a review of the items at the same rate as in the present year; but, taking the customs at 250,000*l.* over the present estimate, there were bounties which were excessive in the course of this year and the next, particularly that for the whale fishery, which had been considered utterly useless. These bounties amounted to 500,000*l.* a-year. There were other bounties, such as

those for the curing of herrings, and other fish. These might be proper, while our herring fishery was behind hand, but now they ought to die a natural death. This would be a saving of 70,000*l.* a-year. Other bounties might be considered useless, as that of the Irish linen exports. If they gave a bounty above the duty on the raw material, we were taxing ourselves to fill the exchequer of foreign states, from which we drew the raw material. He, therefore, proposed to reduce the bounty on coarse linens, and the others 10 per cent in each year, until they ceased altogether; and that would be a saving of 100,000*l.* a-year. As to excise and stamps, he would not anticipate any increase, though it was to be expected an increase would take place. He calculated the expenditure of 1825, 6, and 7, the same as this year, except in the miscellaneous, and the result was, that there would be a surplus for 1824 of 1,275,000*l.*, and in 1827 there would be a surplus of 4,130,000*l.*; but the question was, what would they do with it? In his opinion they could do a great deal of good. The most rational way would be, to let it go in reduction of debt. But it was the obvious duty of the House to revise our system of taxation, in order to prepare for a state of war. In this view, he meant to apply the surplus to the fiscal and commercial regulations. What it was his intention first to reduce was, an article which had lately incidentally occupied the House, viz. rum. It was his intention to reduce the duty on rum, but not lower than that on the English distiller. The reduction was to be one shilling and three half-pence, so as to make it the same as British spirits; this was giving relief to the agricultural interest of the West Indies, and this would be a reduction of 150,000*l.* The next reduction was to be on coals; but his view was not, under present circumstances, to reduce the coal duties entirely. His object



was, to reduce it in such a way as not to get into the same difficulties again, when they were obliged to lay on additional duties. This tax pressed with peculiar severity on London, where it was 9s. 4d., while at the out-ports it was only 6s. He therefore proposed a reduction of 3s. 4d. on sea-borne coal in the port of London. There was a duty of 10s. a ton on coals brought by the river Thames, and 7s. 6d. for that brought by canals. This was a useless and prohibitory duty, which, for the soul of him, he could not understand. He could not see why the consumer should not be released from these restrictions, leaving a duty on inland coal such as it could fairly bear. He calculated that the effect of this would be to increase the consumption, and only be a loss to the revenue of 100,000*l*. There were various branches of our trade encumbered with duties and restrictions, amongst these were wool. As the law now stood, the duty was 6d. per pound, and was formerly only a penny. Even in the country, there had been meetings on the subject, and some thought the restrictions on foreign wool should be allowed to continue; but he saw no objection to a free export and import of wool, except 1d. on British wool exported. This would do away with endless legislative absurdities. The loss he reckoned from this would be 350,000*l*. There was a very high duty on raw silk, and a positive prohibition against the foreign manufactured articles. All political economists had declared, that these prohibitory regulations were absurd and impracticable. As they had begun to remove them, what would foreign nations say, but that it was a mere illusion. When capital was now in search of means upon which to expend itself, it was the best opportunity to get rid of these antiquated prejudices. Let them fence themselves by laws, they were constantly evaded.

Every one who had been at a sea-port must have seen ladies of a very comfortable corpulency, and who were in due time delivered of their load of silk. But the tricks were endless, and produced perjury, and other crimes—crime would beget crime, for *nemo repente fuit turpissimus*. The fact was, that we were obliged to keep up a navy to prevent smuggling. He was confident that our silk manufacturers would drive out those of other nations, if we took off the duty on raw silk, and took measures to throw the trade open. It was high time to throw down the idol, and erect the statue of commercial liberty in its stead. He therefore proposed to take off the duty on raw silk imported from the East Indies, leaving a duty only of 3d., and on silk from China and Italy of 6d.; and goods imported (plain silks) should be 15s. per lb., figured 20s., and all other goods, as shoes, gloves, &c., a duty of 30 per cent *ad valorem*. This would be a loss of 462,000*l*. The total then was, rum 150,000*l*, London coals 100,000*l*, wool 350,000*l*, silk 462,000*l*—total, 1,662,000*l*. of reductions; and in three years, it would be 3,700,000*l*. which deducted from the surplus would leave a small balance of little more than a million. It had been represented, that the reduction of the small remaining duty on salt would be of little use; but he certainly thought the faith of government ought to be kept. It might, however, become a question, whether it would be proper to reduce that duty farther. He had now gone through all his statements, and it could not but be gratifying to be able to take off more taxes to the amount of above a million. We had increasing revenues, with a decrease of taxes. We saw the country increasing in wealth and power, not by petty intrigue, or blustering insolence, but from a conviction, on the part of other countries, of our credit and our honesty.

He claimed no praise for ministers, but he claimed it for that calumniated Parliament, which, it had been said, could work no good for the country.

This statement produced general satisfaction in the House; at the same time it drew forth a number of desultory remarks from various quarters. Mr A. Baring was doubtful whether there was a real surplus to the amount stated by the Chancellor of the Exchequer, and whether the apparent one did not arise from temporary sources. He dreaded also exposing our silk manufacturers to competition with those of France. Mr Ellice enforced this view of the subject, particularly as regarded the stock of manufactured silk on hand, in reference to which he urged that the measure should be postponed. Mr Maberly suggested the taking off the tax on beer, and transferring it to malt. Mr Calcraft and Mr D. Gilbert urged the fulfilment of the pledge given in regard to the entire removal of the salt tax. The former gentleman thought the reduction on rum too small, while Mr Hume urged the diminution of the sugar duty. Mr J. Smith pointed out the duties on law proceedings. Mr Brougham entered into the fullest discussion on the subject. He approved entirely of the commercial principles upon which ministers proceeded; but he could not but feel wonder at the term of *God-send* applied to the Emperor of Austria paying half-a-crown in the pound. He could not concur in the vote for building churches, after a million had already been expended on that object. The erection of schools appeared to him a more urgent object; and the same sum which built only 90 churches, would build 2500 schools. He censured in decidedly recommending the removal of the taxes in Scotland on law proceedings.

As the several measures were all to

be the objects of successive debate, nothing passed on the subject beyond general conversation.

The several estimates were passed this year with comparative facility. Those for the navy were moved by Sir George Clerk on the 17th of February. They included an augmentation of 4000 men, making the whole number 22,000 seamen, and 7000 marines; whence there would arise an increased expenditure of £20,000. The reasons assigned for this addition, were the generally unsettled state of the world, particularly as respected our commercial interests on the coasts of South America; the formidable aspect of piracy in the West Indies; and the war between the Turks and Greeks, which required the employment of a squadron of observation in the Mediterranean. It was not conceived that this addition could be objected to by the gentlemen opposite, who habitually reproached government with not placing itself in a sufficiently imposing position towards the powers of Europe. This did not prevent Mr Hume from denying the necessity of any such augmentation, and from appealing to the expectation which had been held out by Lord Castlereagh, that by this time the establishment would have been reduced to the standard of 1792, or 17,000 seamen. He reproached ministers also with the prevalence of dry-rot in the navy; to which it was replied, that, owing to the haste with which it was necessary to construct ships during the war, it had not been possible to secure them fully against wet while building, or to take other necessary precautions; but that every possible care was now applied to remedy past evils, and prevent their recurrence. Mr Hume urged, seemingly with some reason, that the force employed in the suppression of smugglings should, as much as possible, be kept distinct from that maintained for general na-

val purposes. He made likewise strictures on the mode of promotion in the navy; to which Sir G. Cockburn and Mr Canning stated, that the highest commands were open to meritorious individuals, of the most humble origin; but it was also conducive to the credit and advantage of the service, that naval officers should consist partly of men of birth and property.

Mr Hume declared at one time his resolution of dividing the House upon the 4000 seamen; but the amendment to that purpose was not ultimately pressed.

On the 21st, Lord Palmerston brought forward the army estimates. They included an increase of six new regiments upon the existing establishment, besides 200 men added to each of the three veteran battalions,—forming an increased force of 4500 troops, and an increased charge of 158,000*l.*; but, since these estimates had been printed, certain facts had come to his lordship's knowledge, which enabled him to deduct 55,000*l.* from the money vote, and so limit the increased expence to 103,464*l.* The addition contemplated to our land forces would be accounted for in a few words. It did not arise out of any apprehension that the peace of Europe would be disturbed, or any alarm for the continued internal tranquillity of England; but it arose out of a view of the present state of our West India colonies; and the condition of those colonies he thought too important to be discussed as a collateral question. Every attention had been paid to economy in the arrangement of the proposed increase. The officers of the six new regiments were to be all taken from half-pay; nor were there to be any promotions from regiments already existing, although government had made that regulation with much unwillingness. The whole additional expence would not exceed 172,000*l.*, a great portion

of which would be saved by the diminution on several other heads of service. In the public departments there was a diminution of 8000*l.*; in the volunteers there had been no variation. The total saving would be 84,000*l.* In the Military College there was a diminution of 5000*l.* On the half-pay there was a diminution of 17,000*l.* There would be a farther decrease of 40,000*l.* in the other departments. On the widows' pensions there was an increase of 3600*l.*, but there was a reduction in the Chelsea and Kilmainham Hospitals. The increase of men in the veteran battalions was 663 men. There was a payment made of 60,000*l.* for half-pay, from the East India Company, which had been paid into the Exchequer, but he might fairly take credit for it. The total increased expence would be only 43,000*l.* for the 4500 men additional. The noble lord concluded his statement by moving a resolution, that there be raised, for the service of the present year, 73,341 men.

Mr Hume, with great vehemence, opposed this addition, and urged that nothing had been stated to justify it. It had only been peculiar circumstances which had led the House to sanction the continuance of our existing establishment last year; and he had looked with confidence to a reduction of 5000 or 6000 men, rather than an increase, in the present year. An addition to the navy had already this session been granted; and the proposal of the noble lord, if the House would listen to it, gave us no fewer than 233,000 men in arms. Now, to what purpose—for what end—was this immense establishment, in time of peace, to be maintained? On the continent, the King's speech assured us, there was every appearance of continued peace. Ireland?—We had troops enough in Ireland already, and too many, for they did mischief. But it

was said that we wanted men in the West Indies.—How many? Say, for argument's sake, 3000 or 4000. And was our existing establishment so low, that we could not afford such a force without augmenting it? But he was out of patience to hear always the old remedy—sending our troops to the West India Islands! Ministers ought to have spoken out before this period of the session, and to have said what eventually was to be done as to those islands. Ministers ought to speak out, he repeated, before they alienated the minds of the colonists. They ought to say at once, “We mean to liberate the slaves,” or, “We do not mean to liberate them;” and not give opportunities to designing individuals to put the properties, and even the lives, of the white inhabitants in jeopardy. He concluded, by moving a reduction from 70,000 to 63,000.—Mr Gordon, as a West India proprietor, deprecated the discussion which it seemed to be Mr Hume's wish to introduce, relative to the affairs of those islands.

Mr Hobhouse came forward, on the broadest constitutional grounds, to oppose this vote. He was afraid his sentiments were so extraordinary, that they were not only unlikely to find much sympathy in that House, but, he was sorry to say, even in the country at large. But he thought it the duty of members of that House, when there was a want of popular feeling, or an excess of it, to lead the public mind; and it became every public man to tell the people what was the difference between himself and his constituents. He, perhaps, should not have spoken on this occasion, were it not that it might appear there was some difference between his present sentiments, and those expressed by him last session. He had before said, and he could not too often repeat it, that our position was not such as became this mighty nation; we might

have given the law to all Europe, instead of truckling to others. He confessed himself an advocate for war, if the aggression on Spain could not have been prevented without it; but, as we had not had the honour of standing in that attitude, we ought not now to be called upon to pay for an army which was kept up, not to terrify or annoy tyrants abroad, but to keep down the people at home. Mr Hobhouse, reading history, as he thought every Englishman used to read it, found, from the experience of all ages, that standing armies had always been employed for the purposes of tyrants. How changed must be the public sentiment, when Englishmen can come to the conclusion, that augmentations to the standing army are mere matters of course, and the only discussion arising out of it are questions of how the troops are to be employed, whilst the great constitutional question, that, in time of peace, we are to maintain a great standing army, is passed by without observation. Those opinions, even if he should have the misfortune to hold them singly, he was nevertheless convinced were such as deeply concerned the preservation of the constitution. The absence of many of the honourable members who usually supported the view which he had taken of the question, was among many lamentable proofs of the habit of supineness and insensibility to this subject, which was gradually creeping in where it had never before been observed.

Lord Palmerston, in reply, treated very lightly the representations of Mr Hobhouse, admitted by himself to meet with no support among his own party. He denied that there had been any understanding whatever of the intended reduction alluded to by Mr Hume. He replied also to some strictures which had been made on the mode of relieving regiments abroad.

Mr Calcraft conceived that the ad-

dition proposed could not be objected to; and, though Mr Hume pressed a division, he could not carry with him more than 10 against 102.

On the 28th February, Sir H. Hardinge brought forward the Ordnance estimates. There was a reduction in every department. The total sum of the Ordnance estimates was 978,342*l.*, being less than last year by 91,658*l.* If from that was deducted the sum for the Ordnance barracks, 24,000*l.*, the difference in favour of this year would be 67,000*l.* Upon the ordinary department, there was a saving of 15,588*l.*, composed of 6000*l.* less for the civil estimates, 1500*l.* less for the Military Academy, 3000*l.* less for artillery clothing, and some other reductions. Upon the extraordinaries, there was a reduction of 55,000*l.*, but that, he should state, was rather to be considered as a suspension of expenditure than as a saving. The permanent savings were 5000*l.* in the storekeeper's department, 6000*l.* in stores, and 1500*l.* in small arms. The next, being the third item, was the unprovided charge, which was reduced to 1090*l.* This saving was to be attributed to the introduction of short accounts, and he was glad that it had been effected, as it was a branch of which the House was always jealous, because it was an expenditure necessarily incurred without the sanction of the House. These three items would shew a total charge, after deducting 141,000*l.* for the savings and old stores, of 616,000*l.* for the effective charge of the land service of the Ordnance, being 97,000*l.* less than what the Finance Committee of 1817 recommended. If they further deducted the 24,000*l.* for Ordnance barracks, transferred to the barrack department, the estimates of the year would be below what that Finance Committee stated the permanent establishment could be reduced to, by 55,000*l.* An additional 18,000*l.* had been required for repairs

of barracks in Ireland; and the commissariat of stores required 90,000*l.* extra for iron bedsteads to the soldiers.

Mr Hume, notwithstanding these favourable statements, contended that the reduction was still not such as the country had a right to expect. The whole amount of decrease was not more than 92,000*l.* compared with the estimates of 1819. The expenditure was now two-thirds more than that of his golden era, 1792. In 1792 it was 442,000*l.*; in 1817 it was 1,284,000*l.*; in 1819 it was 1,212,000*l.*; in 1821 it was 1,326,000*l.*; in 1822 it was 1,244,000*l.*; in 1823 it was 1,217,000*l.*; and now it was come down to 1,119,000*l.* When Mr Hume, last year, contended against the appointment of the Lieut.-General of the Ordnance, it was maintained that the business could not go on without that officer, and yet the fact turned out to be, that Lord Beresford had been absent at Lisbon nearly the whole of that time.—The answer made was, that Lord Beresford, being requested by the Master General, in November last, to return, had sent home his resignation. In consideration of his merits, however, extraordinary exertions were made to keep the office open for him, till last week, when he finally wrote, that it was impossible for him to return; and the Duke of Wellington then conferred the office on Sir Charles Murray. Mr Hume, however, called for a vote to reduce 10,000*l.* on the proposed salaries. It was negatived by 89 to 19. The only other contested point was the Barrack Department, which Mr Hume contended was carried to an enormous extent, and too highly paid. He was joined by Colonel Davies and Sir J. Newport; and Mr Hobhouse complained, that whereas one or two years ago they had fifteen or twenty divisions upon this subject, now they not get up one. A division was accord-

ly got up, by Mr Hume's moving a reduction from 114,000*l.* to 100,000*l.* The sense of the House appeared less decided upon this motion, which was rejected only by 95 to 38.

The removal of taxes on commodities is an operation not hailed with an applause so unanimous as might at first sight be imagined. There can seldom fail to be some class, whose interest, which they now advance as a vested right, is not injuriously affected by that measure. The first rumour of the remission of the duty on sea-borne coals alarmed the western and inland proprietors, who even poured in petitions against the measure. When again it was discovered that the Chancellor of the Exchequer proposed to repeal the absurd restriction against introducing more than 50,000 tons of inland coals into London, and to substitute a duty of 1*s.* 6*d.* per chaldron, instead of that of 10*s.*, which at present operated as a prohibition, the owners of northern coal took the alarm; and indeed there seems no reason why the duty on inland coal should be lower than that brought by sea. After a good deal of discussion, however, between them and the western proprietors, ministers adhered to the original project, which was accordingly carried. There could not be a more improper subject of taxation than coal; and, so far as it was relieved of duty, good was done; and we hope the very first opportunity will be taken to exempt altogether one of the prime necessities of life, and materials of manufacture. A member, indeed, said he would prefer the window-tax; that he thought light more important than heat. But, without entering into a comparative discussion on these primary elements of human comfort, it may just be observed, that light admitted by more than five windows in a dwelling, while the poor Londoner, who perhaps receives it only by a single aperture,

cannot obtain a spark of fire to warm himself and dress his victuals, without paying a high duty.

According to the act by which, two years before, the salt-duty had been reduced from 15*s.* to 2*s.* per bushel, the whole duty was to expire on the 1st January, 1825. As the tax, however, at its reduced rate, had proved very productive, ministers shewed a certain hankering after its continuance; and Mr Wodehouse, taking the field in their cause, announced a motion for the continuance of the duty. A general, however, and indeed just, dissatisfaction, was shewn at this project; and ministers, when it came to the point, declared their determination to keep full faith with the public, and consented that all duty on salt should cease on the 1st January, 1825.

In regard to the reduction of the duty on rum, which brought it to the level of that on British spirits, the West India proprietors urged, that this reduction brought a relief very inadequate to the necessities and distress under which they laboured. On the other hand, the distillers, and even the land-holders, complained of the measure, as tending to diminish the market for British spirits. The bill was carried through, however, without any regard paid to these neutralizing objections.

The malt and beer duties, a source of revenue highly productive to the government, and burdensome to the people, were brought this year under a good deal of discussion. The levying of duty on the same article, at successive stages of its production, rendered the machinery complicated and costly. Mr Maberly urged the adoption of a system, already suggested by Smith, of laying the whole duty upon the malt. Mr Robinson observed, that the malt duties were already subject to much evasion, which would be practised to a greater extent, if the whole weight

were laid on them. He threw out even a surmise, which, however, was indignantly repelled by the members connected with the brewing interest, that a mixture of unmalted grain might be resorted to. Admitting, however, the inequality which arose from the same duty being imposed upon varying strengths of beer, he proposed a graduated scale, according to the quantity of malt employed. The tax was thus clearly rendered more equal; but the complication introduced could not but increase the difficulty of survey, and the opportunities of evasion. It was, moreover, a subject of complaint, especially from Scotland, that this equalization materially raised the duties upon some of the species that were manufactured on the greatest scale. In consequence of the opposition made upon these grounds, the proposition was given up for the present, and only a new regulation introduced as to licences. Brewers were allowed to retail their own beer, under licences at moderate rates. There can be no doubt of the equity of this; and, indeed, it was a palpable infringement of natural right, to prevent a brewer from selling his own beer to the public. At the same time, unless in the case of small country towns, it would be, we apprehend, under a false estimate of expediency, that a brewer should think of uniting the two trades of making and retailing beer. A graduated scale of licence was adopted, varying from 10s. upon the annual sale of 20 gallons, to 15*l.* upon that of 10,000 gallons; while all who sold above 40,000 gallons were to pay 75*l.* A licence duty is essentially an unequal tax, and it has only the good quality of being simple, easily collected, and free from harassing survey. But when it is connected with a system of survey, it seems to lose these advantages; or if, as in the present case, a system of survey already exists, why not lay the whole

duty upon the quantity ascertained by that survey? To do otherwise seems an unnecessary complication. It may be observed, that if anything like thorough equality was aimed at, it was very far from being attained. Thus, if the licence corresponding to 20 gallons was 10s., and that to 50 gallons 1*l.*, the licence corresponding to 10,000 gallons should have been 200*l.*, instead of 15*l.*, and 40,000 gallons should have required 800*l.* The tax was therefore still excessively unequal; and there does not seem to be, in the case of retailing brewers, any room for that discouragement of little dealers, which Smith allows may be proper in the case of common alehouses. Retailers of beer to be consumed out of their premises, were allowed on the same terms as brewers;—a good regulation.

The leather tax was one of those, for the remission of which the opposition members most earnestly pressed. It had been already reduced, but, on the 18th May, Mr Calcraft brought in a motion for its total repeal, to commence from July 1825. He represented it as most impolitic and unproductive, collected with great expense, and producing only 300,000*l.* It drew much out of the pockets of the people, and put little into the Exchequer. The diminution of the duty could not fail, in the long run, to reduce the price of the article. The Chancellor of the Exchequer admitted the objectionable character of the tax, and said, that, having had to consider the repeal of taxes to the amount of four millions and a half, this had come in for a share of his attention. But he conceived that there were more urgent objects;—the coal duties, the Scots spirit duties, which created so much inconvenience on the Border, the tobacco duty, which was 4s. while its price was 3d. per lb.—Mr Canning complained of this way of cutting up in

detail the financial plan, which had received the general approbation of the House. They had begun with the window tax, then with the house tax, then the assessed taxes, afterwards came the coal tax, now the leather.—Sir J. Yorke, however, derided, with some reason, the idea of putting “a filthy poison like tobacco” in competition with leather, a necessary of life.—The arguments of ministers, which were not, perhaps, very triumphant, procured only the somewhat narrow majority of 71 to 55.

The assessed taxes, however, formed the point on which the opponents of ministers drew forth their main strength. These taxes, however, as formerly observed, are far from being the most objectionable that can be imposed. They fall chiefly on luxuries, are easily collected, and do not embarrass the trading operations of the country. Being paid, however, direct from the pockets of the contributors into those of government, they are more felt, and consequently more unpopular, than those which merely operate by enhancing the price of commodities. The public, also, in consequence of certain authoritative paragraphs which appeared in the journals, had been worked up into a belief, that the present session would be signalized by a general repeal of these taxes. No real source could be discovered whence funds could be drawn, adequate to such a purpose. Still the public felt disappointed, when, instead of this extensive boon, they were presented only with a few cuttings and parings from some of the minor objects of taxation. The parliamentary chiefs, who claimed this repeal, failed not, therefore, to experience a certain support from the nation.

Mr Hobhouse, on the 2d March, brought forward a proposition for the

repeal of the house and window tax. He expressed satisfaction in general with the financial measures of the Chancellor of the Exchequer; he admitted that the country was improving, and that agriculture was recovering; but the prosperity of this last branch he considered as resting upon a very precarious basis, since the opening of the ports would bring in a fresh inundation of foreign grain. He thought it was very idle to attempt employing the small surplus of revenue in a sinking fund; and as for spending it in the building of churches, he conceived it, in the distressed state of the country, to be little better than sacrilege. With respect to this particular tax, it was the most oppressive, and the most unequal. It was, in fact, a kind of property tax. The owner of a house to the amount of 200*l.* a-year paid 42*l.* for the house and window tax, while the owner of land to the same amount paid only 28*l.* 1*s.* He was justified in calling for the total repeal of this tax; and he thought the whole of the assessed taxes should be done away; but, for the present year, he should confine himself to the house and window tax.

The Chancellor of the Exchequer was sensible that the application of the existing surplus to a sinking fund, instead of the reduction of taxes, was not a popular measure; but he could not sacrifice to a temporary popularity those great principles which he deemed essential to the welfare of states. There had been already remitted seven millions of taxes entire, besides nearly four millions reduced on articles still subject to taxation.—After some discussion, the motion was negatived by 155 to 88.

So little was Mr Maberly discouraged by the result of this motion, that, on the 10th May, he brought forward another, for the total repeal of the as-



essed taxes. He argued at some length against the utility of the sinking-fund. He did not consider it necessary to answer at any great length the statements which had been put forth with respect to the pretended benefits which resulted from a sinking fund. It would take a more able calculator than he was to discover where the sinking fund had existed since the year 1792. He challenged any member of that House to prove that a sinking fund had been in existence from the year 1792 down to 1819. If the funds should continue to advance, it would be absurd to suppose that any reduction of debt could be effected with a sinking fund of five millions. Such a sinking fund would be of no more importance than a drop of water in the ocean. When the right honourable gentleman had stated that he wanted 900,000*l.* for churches, palaces, and pictures, there was a strong feeling in the House that the wants of the country had been trifled with. He would now state to the House the taxes which he proposed to repeal. They were the house and window duties, the horse and agricultural horse tax, the tax on carriages and carts, the tax on coachmakers' licences, the tax on hair-powder and armorial-bearings, the composition for the above, &c., amounting altogether to 3,560,000*l.* a-year. If the House should think proper to vote for the repeal of those taxes, he could see no reason why the whole expense of collecting them, amounting to 300,000*l.*, should not also be got rid of. If the taxes should be repealed, there could be no pretence for retaining any part of the expense of collecting them, except, indeed, for the purpose of affording retired allowances to those who had been engaged in that service. He considered it a gloomy prospect, that, if the Chancellor of the Exchequer's plan were adhered to, the

country could have no prospect of any farther reduction of taxes till the year 1829.

The Chancellor of the Exchequer conceived he had very little to add to what he had formerly replied to Mr Hobhouse. The measure now proposed being an extension of the former one, the same objections would apply to it, in a stronger degree. He was unwilling to deal in prospects, either gloomy or brilliant, as to future years; but, when 3,200,000*l.* had been remitted last year, and 1,250,000*l.* in the present, he thought ministers had sufficiently proved their disposition to do every thing possible for the relief of the nation. Although Mr Maberly's motion, therefore, was seconded by Mr Hume and Lord Milton, it was negatived by a majority of 171 to 78.

These preliminary points having thus been adjusted, the minister, on the 8th May, presented the following *budget*, or general summary:—

The supplies already voted by the House amounted to	£18,284,714.
Of which there had been appropriated,	
For the Army . . .	7,438,576
The Navy . . .	5,762,893
The Ordnance . . .	1,410,044
Miscellaneous services	2,623,201
Exchequer bills . .	1,050,000.

Total £18,284,714

There had also been voted in supply the sum of 30,000,000*l.* for the purpose of paying off Exchequer bills to a like amount, which were outstanding in January 1824. The whole sum, however, which was required for this service was 34,031,000*l.* There of course remained, after the 30,000,000*l.* which he had stated to be already voted, 4,031,000*l.* to be provided. He would presently state how he proposed to deal with that charge. He

would now go over the votes which the House had already sanctioned to meet the supplies of the year.—

They had granted, in annual duties, sugar duties, and duties on foreign spirits, . . . . . £3,000,000

For naval and military pensions, . . . . . 4,620,000

Payment from the East India Company, in conformity with the arrangement made last year on account of half-pay, and other charges for officers and troops serving in the East Indies, . . . . . 50,000

There was also a small surplus in the Ways and Means for last year of . . . . . 41,597

Grants for public works, . . . . . 100,000

And for the contribution from official salaries, . . . . . 50,000

This contribution was made under an Order in Council in 1822, in conformity with which, the great Officers of State, and other persons in official situations, transferred 10 per cent on the amount of their salaries to the public. That sum was so contributed in imitation of his Majesty, who had given up 30,000*l.* from the civil list, and it had been arranged that it should not go to the consolidated fund, but brought in aid of the ways and means of each year. It was, therefore, unnecessary that it should be voted, though he was free to take it as an item in the Ways and Means. The several sums which he had enumerated would be found to amount to 7,861,597*l.* He then proposed to take 10,600,000*l.* as the surplus of the consolidated fund, after paying all charges on it, and he would now state how this surplus arose in the present year. He had estimated, at the commencement of the present

session, that the revenue for 1824 would amount to £51,265,000

Adding to this portion of the repayment of the Austrian loan, which came into this year, . . . . . 1,422,000

And sums recovered from certain public Accountants, . . . . . 222,000

Give a total of £52,909,000

This sum, however, he did not take to the consolidated fund, as 3,000,000*l.* were to be deducted from it, which arose from other sources than the regular supplies of the year. He had, however, as he had shewn, ways and means for the current year, amounting to . . . . . £52,909,000

But from these he proposed to deduct, for the probable falling off on account of taxes repealed, . . . . . 1,200,000

There would then remain . . . . . £51,709,000

He would deduct, for aids not connected with the regular supplies of the year, 3,000,000*l.*, and for deficiency of revenue, and repayments on account of the silk duties, 1,200,000*l.*; in all . . . . . £4,200,000

And there would remain, on account of the consolidated fund, £48,707,500

The expenditure for the present year he had estimated at . . . . . £38,057,600

Which left a surplus of nearly . . . . . £10,650,000

The only farther measure he had to submit, was an operation on the great sum of Exchequer bills now in circulation. This amounted to a little more than 34,000,000*l.*, bearing an interest of 2*d.* per cent per day. He proposed to transfer four millions of these to the regular funded debt, and to reduce the interest on the rest  $\frac{1}{2}$ *d.* per day. This would produce an annual

saving of between two and three hundred thousand pounds.

We may finally notice, that the Chancellor of the Exchequer, almost spontaneously, came forward, and expressed his intention to remit the taxes on law-proceedings, a measure clearly just and expedient, and which gave general satisfaction.

## CHAP. IV

## POLITICAL ECONOMY.

*Liberal Commercial Policy adopted by Ministers—Opposition to it.—Removal of Restrictions on the Silk Trade—The Wool Trade.—Reduction of Linen Bounties.—Disposition to form Joint Stock Companies—Some Observations on their Tendency.—West India Company.—Repeal of Restrictions on Marine Insurance—Marine Insurance Company.*

THIS was a busy session, in regard to commerce. Those great principles of liberty, which had been avowedly adopted by the present ministry, but had hitherto been brought into action only by timid and incipient steps, were now brought forward on a great scale, and with intimations of their future more complete and unqualified adoption. As the leading members of the Whig, and even of the popular side, had either formed for themselves, or imbibed from Mr Ricardo, similar views as to this branch of policy, the measures of government were powerfully seconded, and their success could scarcely admit of doubt. At the same time, as the machinery of the new arrangements rolled on, a large mass of resistance, from various quarters, was insensibly collected. There were many, both old Whigs and old Tories, who stuck to the old English mercantile policy, and had many plausible common-places to urge in its defence. It was under this

system that England had prospered for centuries; we had had experience of it, and we had none of those new-fangled notions which were now the rage. It was represented as a kind of madness to pay our money for the foreign fabrics which our own manufacturers, if they had only a little of what is called protection, could easily supply. These arguments and prejudices were seconded by the extensive private interests, which every such change unfavourably affected. Petition after petition was poured in, representing, in the most exaggerated and doleful terms, the evils to which British interests would be exposed from this foreign competition. Meantime, the benefits derived from the introduction of cheaper and better commodities, being diffused over the whole mass of the nation, were not the business or the benefit of any particular person. The public did not come forward in their own behalf; they had a tendency to think, that people

belonging to the trade would be the best judges, and were patriotically willing to sacrifice this small interest of their own, for what they might suppose to be the public benefit. For these causes, the opposition to the application of the improved system of political economy is not only powerful, but, perhaps, on the increase.

All these conflicting sentiments and principles were brought into play by the proposed change on the silk duties, one of the oldest and most decided theatres of commercial warfare between the rival nations of England and France. To exclude the silks of France, as the article in which alone we were obliged to confess a humbling inferiority, had been a favourite stroke of the old commercial policy. Under the prohibitory system thus prompted, there had grown up an extensive and extending manufacture. Silks were becoming a British staple, and had even begun to be exported. There were, therefore, large interests liable to be affected by its free import from a rival country, so long celebrated as the main seat of this manufacture.

Under these circumstances, it is not to be wondered, that when the plan of the Chancellor of the Exchequer was announced, it should excite a pretty strong sensation among all concerned with the trade in silk. On the 6th March, Mr Baring, in presenting a petition from Taunton, brought the subject before the notice of the house. He declared himself, though an advocate for free trade in general, an enemy to this measure. He suspected that the skill of the French in dying, produced by the application of chemistry to that art, and the cheapness of labour, would enable them decidedly to undersell our manufacturers. He laid down the broad principle, that no partial alterations of this nature should be made till the legislature should begin with the corn-

laws, which raised the price of bread and the wages of labour. Mr Baring, in the course of the debate, greatly abated his professions of attachment to free trade, by stating, that he wished it only so far as that the country might become the entrepot of the world, but not to open a free entrance to the manufactures of the continent. Mr Denman urged, in preference, the repeal of taxes which would be sensibly and generally felt; and Mr Ellice, joining with Mr Baring in thinking, that the beginning ought to be made with the corn-laws, conceived also, that the first alteration of the system should be in some branch of our industry not so liable to the competition of foreigners. Mr Canning and Mr Peel observed, that to delay till the corn-laws were repealed, was to put off to a period quite indefinite the removal of the restrictions on trade. Mr Hume, in the most decided manner, here joined ministers against the Whigs. By the evidence given before the committee, this fact seemed to be established, that if the raw material of silk could be obtained upon as easy terms as raw cotton, there was no reason why we should not excel other nations in the manufacture of silk as we did in cotton. What would be the effect of this wise measure? Why, to take 25 per cent off the price of the raw article, and to throw much more extensive employment into the hands of the manufacturer; for it could not be doubted that the immediate effect of this reduction would be an increased consumption; and that, therefore, every man now petitioning against it from a mistaken view of the case, would be immediately benefited by having full employment; and Mr Hume would venture to predict, that every silk-weaver's wages would be increased 25 per cent beyond what they had been for the last six months.

Notwithstanding the brisk opposition encountered in the outset, the bill made its way. To soften the objections made by the manufacturers, the Chancellor of the Exchequer agreed to grant a drawback on the silks actually on hand, provided they were bonded by the 25th of March. Finally, to break the immediate pressure of foreign competition, it was agreed, that the admission of foreign silks at 30 per cent, should not take place till July 1825. With these qualifications, although the opponents of the bill insisted on being heard by counsel against it, this did not prevent it from being ultimately carried in a manner tolerably harmonious. At the same time, the absurd regulations respecting the wages of the trade in London and Dublin, were done away with, and thus every part was left, or soon to be left, in that unshackled state which an enlightened policy dictated.

The Chancellor of the Exchequer had stated the amount of the drawback to be paid on silk goods on hand as not likely to exceed 300,000*l*. On the 8th May, however, when bringing forward the budget, he mentioned that it would approach 500,000*l*. This certainly exceeded what he had flattered himself would be the amount, but it fell infinitely short of the enormous sum which it had been held out to them would be necessary, and so held out to terrify them out of a measure, which, sound in principle, far from realizing the evils which had been anticipated by some, would, he was confident, produce that great and general benefit which he and others who supported it had calculated might be expected. It was a subject of just congratulation to the House, that a measure of that kind, conflicting with so many established opinions and interests, should have been carried into effect as this had been. The individuals who had in the first instance

been alarmed at the proposition, had, in their efforts to induce Parliament to reject it, conducted themselves in that way which had always distinguished their proceedings, and which entitled them to the kindest attention of the House whenever aught which affected their interests might be brought into discussion. It was highly satisfactory to know that the change had been so quietly effected, and he begged to state it to be his opinion, that this might be regarded as the triumph of truth over prejudice, on which those by whom it had been achieved had a right to congratulate both the Parliament and the country. The 500,000*l*. repaid to effect this object, those who wished to act on sound principles, as well as talk of them, (which almost every one was given to do,) would consider to be money well laid out. It had the effect of keeping the silk trade in a constant state of activity in every part of the country, and had served to remove the prejudices of individuals who might otherwise have opposed the new measures.

Mr Robinson extended the system of free trade to that of wool, long considered the main staple of British manufacturing industry, and still its most genuine and native branch. Wool was also an extensive agricultural product; and in the conflict between the growers and the consumers, whom the legislature was equally anxious to favour, a sort of compromise had been formed, not of mutual freedom, but of mutual restriction. The prohibition of the exportation of British wool was a monopoly of the manufacturer against the agriculturist, in return for which, the latter received, a duty of sixpence per pound on all wool imported. Trade, production, and manufacture, all suffered by this system. Mr Robinson, therefore, introduced a motion by which exnor-

tation was to be freely permitted at a duty of twopence per pound, while the duties on importation were to be reduced to one penny per pound. This bill was generally welcomed by the enlightened part of the House, yet it passed not uncontroverted; for though it benefited both parties in some of its bearings, it injured both in others. Mr Curtis, on the 21st May, when the committee was to be gone into, opposed it strenuously, declaring, that the doctrine of free trade had been carried to a kind of frenzy. Mr Stuart Wortley insisted, that we were thus losing an invaluable advantage, since the long wool of England was altogether peculiar to it, and could not be produced in any other country; but Mr Charles Grant considered this as on a level with the old opinion, that Spanish wool could not be produced out of Spain. Sir F. Knatchbull moved the reduction of the export duty from 2d. to 1d., which was carried by 102 against 83, and certainly improved the bill, as we really do not see why there should be any duty at all either on import or export.

Among other branches of the liberal system now brought into action, was that of gradually withdrawing those bounties on exportation by which a great portion of the national treasure was expended in efforts to support trades, which, if they could not support themselves, were not worth retaining. The only manufacture which it had been attempted to support in this manner, was that of linen, in which there was annually spent about 200,000*l.*, which it was now proposed gradually to withdraw. The reduction, commencing at next January, was to make annual progress, till, in five years, the bounty was to cease altogether. Considerable opposition was made to this measure from Scotland, and still more from Ireland, linen being a staple manufacture of

the former country, and almost the sole manufacture of the latter. They particularly objected to, what was at first proposed, the immediate removal of the bounty upon the coarser descriptions of linen. These descriptions were stated to be those on which both countries chiefly depended, and by which a great part of their poor population was supported. In consequence of these representations, it was agreed, that the bounty on coarse linens should be withdrawn, in a similarly gradual manner with that on the other descriptions.

The attention of Parliament during this session was also strongly solicited by other objects, arising out of quite a new aspect of the commercial world. That deep depression and despondence, the former result of a continued series of unparalleled reverses and distresses, had, under the cheering influence of late events, entirely subsided; and in its place had arisen a peculiar degree of that activity and enterprise which forms the natural element for a British merchant to move in. In consequence, however, of the impoverishment of so many flourishing merchants and manufacturers, the tie was in a great measure broken, by which capital was connected with the different branches of industry; and being no longer absorbed by the immense loans that had been necessary for the support of the war, it could, with difficulty, be made to afford to its possessors a remuneration at all satisfactory. A general restlessness and discontent pervaded all the vast money-holders of the capital; and with a hardihood not unfructured with rashness, they sought in the boldest speculations, amid the storms of political contention, and in the remotest extremities of the earth, not, as in golden days, twelve or fifteen, but six or five per cent. This quarter being nearly exhausted, and the faith re-

posed in it shaken by repeated alarms, the spirit of enterprize now turned in another direction. It was conceived, that, in the reviving state of industry, capital might find ample and advantageous employment in its internal branches. As, however, the holders of capital could not possess that technical knowledge, without which it would be chimerical to expect success, a remedy was sought in the formation of Joint Stock Companies on that great scale upon which everything has of late been done, and the members of which, themselves unacquainted with the trade, could carry it on by means of a skilful agent or manager. This appears, in some respects, certainly a more prudent, eligible, and safe investment of capital, than is afforded by the more distant speculations; yet is it not without disadvantages peculiar to itself, of a very serious nature, and which confine, within somewhat narrow limits, its promise of success.

The researches of modern political economy have completely proved, that individual interest is the main, and nearly sole, spring of public commercial prosperity. The public gains with the gain of the private merchant, and loses with his loss. Concerns, therefore, which are conducted by an individual merchant for his private interest, are likely, at the long run, to be prosperously conducted. We may add, that the chances are much in favour of proceedings on a moderate scale, the whole of which can be kept under the eye of the proprietor. The exceptions to this last rule consist almost only of companies conducted to original success by the efforts of a single partner, but gradually swelled by the reception into the firm of those inferior agents who have proved themselves eminently qualified for conducting it. But a vast concern, with a capital of millions, of the nature and procedure of which the partners are

wholly ignorant, and which is left in the hands of salaried agents, stands on a much less advantageous basis. We speak not merely of embezzlement, although the temptations afforded to it, have, in a great majority of cases, been found irresistible. But the minute attention, the strict economy, the daily and nightly consideration of whatever can forward the interest of the concern,—these can only be expected from him, all whose fortune and hopes are involved in it. In a great undertaking, left in the hands of agents, an easy, lax, and large mode of proceeding, is insensibly introduced. In point of fact, all great joint stock companies, even when they enjoyed an exclusive privilege, have been found ultimately bad; and the result is not likely to be more favourable when they are exposed to the eager and active rivalry of private competitors.

The above observations are not to be understood in an unqualified sense. There are, in a commercial state of society, some trades of great magnitude and importance, which cannot be so well conducted as by companies. Among these are all which consist in the management of the simple element of money. Almost all those who possess much money have attained to some idea how its transactions should go on; and the management may be reduced to such simple rules, and made liable to such efficient checks, that, with great care, the risks of abuse may be reduced within narrow limits. Such establishments require a substantial character, and a breadth of security, which cannot easily be afforded by one or even a few individuals. Although, therefore, there has been more money, in proportion to the business, made by small copartneries, even in these lines; yet the public in general look with more confidence upon, and are more disposed to em-



ploy, large establishments, composed of a number of responsible individuals. Examples of this are afforded by every branch of banking and insurance, by the last most especially. We may add the grand national improvements of canals, roads, railways, &c., which require a large amount of capital, and afford only distant returns. It is not that these will not suffer by being carried on solely by managers and committees; but they are beyond the reach of any private individual; none such, if we except such a rare instance as that of the Duke of Bridgewater, can expend such a capital, and wait for such slow returns. They have not, therefore, private competition to dread, and the public must pay for the additional expense of conducting these undertakings in this manner. Beyond this allowed circle, however, there remains a wide sphere, including most of the employments which engross the industry of a nation, and in which such companies cannot operate with any advantage. Such are all those which embrace the manufacturing of, and the dealing in, commodities. Every manufacture includes a variety of nice, difficult, almost mysterious processes, thoroughly to understand which, must require long and anxious experience; while the application of them to practice demands the most minute and watchful attention. All this will naturally be exerted by one who has all his personal interests at stake in the issue, not by him, who has merely to make up a statement, which shall satisfy those who do not understand the subject. Under manufacture we include agriculture, with everything which relates to the cultivating and improving of land, processes which depend on still nicer and more varying elements, than those in which human industry merely changes the form of the product. If the production of com-

modities thus require the impulse of individual interest, the necessity is not less in all the processes by which they are exchanged. To judge of the genuineness, value, and quality of goods, —to make them up in judicious assortment, to suit them to the demands of a fluctuating, perhaps a distant market, these are operations which require extreme discretion, and for which nothing like any fixed rules can be assigned. Human records afford no tales of more woeful disaster, than has, in modern times, not occasionally and accidentally, but regularly and invariably, befallen all mercantile companies conducted upon this principle.

This train of speculation leads to a question, which, under existing circumstances, is not devoid of interest. Is mining among the trades in which a joint stock company may lawfully engage? Mining is an operation tolerably simple; many of its regular processes can be executed by contract or lease. Without pretending to any peculiar learning in the history of companies, we think there are some mining speculations which have been conducted by such companies, and, which is quite as bad, by a sovereign prince, with some small amount of profit. But this observation applies rather to the working of mines, than to the searching for them. This last is always a speculative and hazardous trade, and such most peculiarly is the search for gold and silver mines, to which we here more particularly allude. The prize is here so brilliant, and the disposition so strong in every man's breast to magnify his own good fortune, that there has been a constant tendency to carry adventure beyond its legitimate bounds. If a few vast fortunes have been drawn out of the golden treasures of Mexico and Peru, a far greater number have been ingulphed in them, and finally lost. They form a species of lottery, and

we have had long experience, that a lottery can maintain itself on a footing of regular and extensive loss to the adventurers. This tendency to rash speculation is likely to be increased, when undertakers proceed, not upon personal inquiry or observation, but upon the report of a distant agent. The agent has no risk; he proceeds upon funds not his own; it is his business and interest to keep the affair afloat,—to be always doing and spending, be the issue what it may. His disposition must always be to cherish the sanguine hopes of his employers. It has been urged, indeed, with some plausibility, that in the case of an employment thus necessarily speculative, the gains and losses of a numerous association will balance each other, and the latter press less sensibly on each individual. But here let it be observed, that if the speculation be, on the whole, a losing one, the assurance of loss will be so much the fuller, the greater the number of individual concerns that are thrown together. It is as if one should buy all the tickets of a state lottery, by which the chance of gain, with probability of loss, would be converted into a simple certainty of loss. We may finally add, that the agents are to be employed in a distant region of the globe, in countries yet heaving with civil commotion, and in the most remote and least accessible parts of those countries. In such circumstances, what control could the company maintain over its agents, and how, if they proved unfaithful, could they bring them to account? There does appear little ground to entertain any but the most gloomy auguries of the result of these distant and hazardous speculations.

The company first projected, and which excited a particular sensation, was that which was called the West India Company. It professed a com-

bined purpose of public patriotism and private gain. Having formed a capital of four millions, its intention was, to make advances to West India proprietors, and receive from them in return the produce of their estates, to be disposed of in this country. Thus, it was said, that important class would be relieved from the distresses under which they had so long laboured, and a large amount of national capital would find that employment, which was so much wanted. If, indeed, the object had been simply to make advances, and watch over their repayment, this might have been sufficiently within the competence of such an association. But the West India distress arose, not from any want of command of ready money, but from the production of an amount of goods beyond what there existed a demand for in the European market. Fresh advances, therefore, could only tend to increase this over-production, which was the root of the evil, and must have been, therefore, attended with peculiar dangers, both to those who made and received them. But it was a still more serious objection, that when the company undertook to receive, to keep in deposit, and to vend the commodities of the West Indies, they became general merchants, and were involved in an employment which such a company never can be qualified to conduct with success. We may here remind the patriotic supporters of such undertakings; that they proceed upon quite an obsolete and erroneous idea, when they imagine, that any trade which is losing to the individual, can be profitable to the public. It has been clearly shewn, that, in every lawful trade which a man can conduct, the public gains with his gain and loses with his loss. This last, it is to be feared, will be the case with such companies as that in question. At the same time, we are by no means prepared to join

in the vulgar cry against them, as attempting to create a monopoly and to take the bread out of other men's mouths. Where there is no exclusive privilege, there can be no monopoly; and so far from private individuals being unable to contend with these mighty copartneries, it will be found, we apprehend, to the cost of the latter, that they can contend only with too much success. Although, then, the government ought by no means to grant to such companies any peculiar privileges and advantages, it does not seem that it ought absolutely to set its face against them. Every man has a right to employ his funds in anyway that he pleases, be it wise or unwise. But to deny to such companies the common privilege of suing and being sued by their managers, or any other, without which they could not act, would be a measure of direct opposition to them. To this point, and no farther, the legislature, on the strictest principles of neutrality and indifference, seems bound to gratify parties engaging in any lawful trade.

The bill for constituting this company, when it was first introduced by Mr Manning, was received rather in a favourable manner. Mr Huskisson advanced merely the formal objection, that the parties ought to have begun with obtaining a charter from the crown. Mr Sykes, however, declared, that he disliked the command which the accumulation of so large a capital as 4,000,000*l.* would give to the company over the West India trade. He knew that no undertaking could be more hazardous than such an investment, and it was still a stronger objection, that the creditors of the company would have no security for their debts, excepting the property, comprised in the act of incorporation. The separate members would be rendered individually irresponsible. Was it to be endured that the unfortunate peo-

ple who might be induced to intrust them with their property, without ever supposing that they were not responsible individually, should be left in a state so disadvantageous? He knew himself of parties who had sued a mayor and corporation, and recovered from them; but still the mayor and corporation laughed at the success of the suitor, because, their corporate property and responsibility only being in question, there was nothing upon which he could seize of sufficient value to meet his demand. Not one in a thousand who could deal with this company would be aware that the members were not answerable individually for their debts. But they had more than this to dread. This influence of so formidable a company over the West India trade would be extremely detrimental. What individual merchant could compete with a company possessing four millions of capital? Then, it was to be observed, that this capital was to be divided into 40,000 shares at 100*l.* each. It was a plan for enlisting 40,000 persons on the side of the present West India system. What necessity could there be for making these new levies to serve under the banners of the West Indian army? If money were wanted, it could be borrowed on good security at present, and on terms quite as reasonable as this company could afford.

Mr Grenfell thought that there was a good opportunity for employing a portion of that capital which was now floating about for want of some opportunity of investment; and Mr T. Wilson defended the plan as one of peculiar convenience and accommodation to the West India proprietors.

Mr W. Williams opposed the bill, and promised to oppose it at every stage. How could a company carry on the business of plantations better than expert individuals? Did it be-

come Parliament to sanction the pretence of a more profitable investment of capital, which might sweep scores of helpless families into its vortex if it should not be successful? But he chiefly objected because it offered an obstacle to the gradual amelioration and final abolition of slavery.

Mr W. Whitmore strongly opposed the bill, because it threatened the freedom and general interests of the sugar-trade, and tended to establish a baneful monopoly.

Mr A. Ellis, though indirectly interested in this question, could not forbear saying that he wished it every success. He approved of it as an admirable means for the employment of barren capital; and the names of successful capitalists in the direction gave a sufficient promise of advantage and success. He approved of the bill because it tended to diffuse more widely a sense of the importance of the West India islands.

Mr W. Smith strongly opposed the measure, chiefly on the ground, that at the present moment the West India interests enjoyed the advantage of a monopoly of sugar, supported by a high protecting duty. He would ask whether an instance had ever before occurred, where, under such circumstances, and with such advantages, a monopoly, upon an article which might almost be called one of the necessities of life, had been found to fail, it had been thought expedient to take it out of the hands of individuals, and to throw it into those of a company, whose immediate interest it must be to increase the monopoly?

Mr Huskisson would certainly not have supported this company, had he conceived their object to be either to establish a monopoly, or to raise the price of sugar. The fact was, however, that they did not propose to trade at all; they never intended to become either the buyers or sellers of sugar.

but to be in precisely the same situation as what were now called West India houses of agency; that is to say, they were to receive the consignments of the produce of West India estates, as West India agents did, and in that capacity they were to sell them; but they were not in any case to go into the market as dealers, or to employ their capital for the purpose of dealing in West India commodities. Any number of persons who might choose to unite as partners for the same purpose, would be at liberty to do so; there could be no means of limiting the numbers of such partners, and they might, by establishing a West India agency, place themselves in precisely the same situation as this company. The authorities of Adam Smith and the Abbe Maury had been arrayed against it, and all the arguments cautiously urged against monopolies and joint stock companies had been applied to this. It was, however, no monopoly, and when the circumstances in which the West India interests were placed should be fully considered, he thought the House would be induced to permit the plan to be carried into effect, in the hope of relieving those interests. He (Mr Huskisson) would not support any company whose object it should be to raise the price of sugar by means of a monopoly. But was there, he asked, at this moment, nothing in the condition of the West India proprietors that made it desirable for the House to encourage (if they could do so without the violation of any sound principle) any means which should appear likely to afford them relief, by furnishing them with a loan of money? The occasional unproductiveness of their estates, and the consequently insufficient security, had prevented the owners from borrowing money at the legal rate of interest. He appealed to the landed interests of England, and would

ask them whether, if such circumstances prevailed here—if they were in a similar state pressed by their creditors, and without the means of raising money by the encumbrance of their estates—they would think it extraordinary or impolitic, to adopt an expedient which should be devised for affording them relief by a mortgage of their estates? This was the whole intent of the present bill.

Dr Lushington and Mr Buxton objected to the bill chiefly on the ground of the obstacle which it would present to the manumission of the slaves, when the masters, whose estates were to be thus mortgaged, would no longer have the power of granting it; but Mr Horton objected to the mixing at all of the question of slavery with that of the formation of such a company as the present.

The vote being put, the second reading was carried on the 11th May, by a majority of 102 to 30. Notwithstanding this advantage, the measure was not pushed through by its supporters during the present Session. It did not even reach the House of Peers. An apprehension of the imposition of inconvenient clauses, particularly respecting the liability of the individual partners, is supposed to have been the chief cause which cut short its career.

A happier issue attended the attempts to form a grand Insurance Company, under the title of the Alliance, chiefly with a view to marine transactions. This was altogether a legitimate sphere for an establishment of this nature; for a company, comprising a great body of opulent individuals, must always afford a fuller security, than that of the most respectable private underwriter. Before it could be organized, however, a very singular barrier was to be cleared away. In 1720, the Exchange and New London Assurance Companies

had obtained a charter, in virtue of which, marine insurance could be effected by no other corporate bodies within the realm. The trade was left open only to individual merchants. In process of time, the great increase of the maritime wants of the country, and the natural inaction of such privileged bodies, left them altogether behind; and, of late, the insurances effected by them have borne no proportion whatever to the total amount of policies made in the country. The business was thus thrown almost entirely into the hands of individual merchants, a number of whom, meeting at Lloyd's, formed a species of association or committee. This highly respectable body, though they would not insure in common, concerted with each other the means of procuring information, and were often distinguished for the liberal and patriotic measures which they originated. It was from them, more than from the companies, that the suppressed monopoly of the latter met with opposition, or was considered as affecting vested interests.

Mr Buxton, by whom the bill was introduced, observed, on occasion of its second reading, that upon the general policy of allowing insurance by joint stock companies, he was borne out by Adam Smith, who, though no friend to such companies in the main, approved of them as applied to that particular object. But a stronger authority in favour of the principle than the opinion of Adam Smith, or any other writer, was the universal practice of those countries in which the trade of insurance was unfettered. In France, to a very considerable amount; in America, almost entirely; in Holland, at Petersburg, at Copenhagen, and at Hamburg, the business of insurance, to a very great extent, was carried on by joint stock companies. As a proof that it was felt how much

more desirable the security was of a joint stock company (in which all parties were ultimately liable) than the security of a chartered company, or of single-individuals, the agent of a company at Paris had lately been in England, procuring insurances, upon the very ground that he could offer a security better than, by the law of England, we could give at home. Mr Buxton had not a question that, if once joint stock companies were formed, England (with her high credit and commercial character) would obtain almost a monopoly of the insurance of the world. And what objection could be urged against the bill, beyond individual interests? Men's houses and goods, and their lives, were already insured by joint stock companies; and, in fact, such companies for marine insurance did exist, though contrary to law, and subject, of course, to great privation and inconvenience.—With respect to the mere question of expense, the saving by insuring with such companies would be considerable. At present, a merchant in the country wishing to effect an insurance in London, wrote to his agent, and the agent (at a cost of ten per cent) employed a broker. The broker was necessary now, because there was to be a dealing with many individuals; but a public company would be dealt with directly, and the agency would be spared. In the matter of "settling," the advantage to be expected was incalculable. As matters stood, an insurance was done at Lloyd's upon a particular ship. She sailed upon a long voyage; and, in two or three years, perhaps, intelligence was received of her being lost. The insurer living in the country, looked at once, as a matter of course, to the settlement of his policy; but he found one underwriter probably dead, and his executors (troublesome people generally) were to be dealt with; a second was insolvent;

a third litigious, and ready to defend an action. The difficulties encountered in this way were frequent and serious. He held a list of policies in his hand, done to the amount of 150,000*l.*, between the years 1810 and 1814; and there was not one of them in which there had not been a death, or an insolvency, or a suit, prior to settlement. In one case, upon a policy of 10,000*l.*, thirty-five different actions had been brought. Now, with a public company, (a joint stock company,) three-fourths of the evil was avoided. A company could not die; its insolvency was in the very highest degree improbable; and in case of litigation, one action was brought instead of twenty. The honourable member concluded by contending, that the two chartered companies (the Royal Exchange and London Assurance) had no title to be heard against the progress of his bill. The chartering of these bodies had commenced in a job, and their powers had continued longer than they had a right to hope for. Personally, he desired to speak with great respect of these companies, and the parties connected with them; but the terms of their charter were distinctly no more than these—they were to pay down the sum of 300,000*l.* to government, for a monopoly of the insurance business for 31 years; compensation to be made, if Parliament thought fit, within these 31 years, to withdraw their powers. Instead of 300,000*l.*, they had, in fact, never paid more than 120,000*l.*; their term of 31 years had been exceeded three times over; and they certainly had no right to complain if their exclusive privileges were no longer continued.

Mr Grenfell contended against the institution of joint stock companies for the business of marine insurance, and thought that they offered none of that extraordinary security attributed to them by the honourable member for

Weymouth. Of the Alliance Company, for instance, as a joint stock company, he wished to speak with great respect; but the prospectus issued by that body claimed to have a capital of 5,000,000*l.*, while in fact its capital was only 500,000*l.* Taking the remote liability of parties into consideration, he could not doubt of the company's solvency, while he saw such names connected with it as those of Baring, Rothschild, and Alexander; but the shares, it was to be recollected, were transferable; the alliance of those gentlemen could not be counted upon for an hour; a single stroke of the pen put an end to their liability altogether, and left the public exposed to that risk which had been incurred in a reliance upon their sufficiency. The honourable gentleman, after denying that he was influenced by any personal feeling upon the question, proceeded to combat the right of Parliament to interfere (at this time of day) with the chartered insurance companies. Their charter, upon payment of a valuable consideration, had been granted for 31 years, with power of revocation by Parliament, within the 31 years, on repayment of such consideration; but, after the expiration of those 31 years, as the act of Parliament expressly stated, the charters could only be revoked by an application to the king in council. Mr Grenfell sat down by declaring, that it would be a breach of public faith committed by Parliament, if the privileges of the chartered companies were abridged, except by immediate interference from the throne.

The Chancellor of the Exchequer did not see on what ground the bill could be objected to. The companies had agreed to pay 300,000*l.*, and they had paid something under 120,000*l.* Their rights were to have lasted 31 years, and they had been continued more than three times 31 years.

Mr Hume believed government were acting very wisely in this proceeding; while Mr T. Wilson and Mr Alderman Wood insisted, that there was no reality in the inconveniencies alleged to have been experienced from the present mode of insuring at Lloyd's; that the competition there was very extensive, and the profits very moderate. Alderman Thompson contended, that the acceptance by the government of the sum of 120,000*l.* in part payment of the sum originally proposed to be paid by the two companies, was a complete confirmation of their privileges. He much doubted whether, if this bill passed, the result would not be widely different from that anticipated by its supporters. What had been the case at Ham-burgh? In 1806, several insurance companies were incorporated, and they soon reduced the number of individual underwriters to five or six, and then they came to a resolution to take all the same premiums. He contended that the bill was unnecessary, as the competition at present existing was as extensive and as operative as in the corn-market at Mark-lane, or in any other branch of commerce. And though it was so uncalled for, this measure would, in its operation, involve the destruction of above 1500 brokers and underwriters.

Dr Lushington entered at some length into the law of the case, and conceived it absurd to suppose, that Parliament would tie up its own hands, and for ever, from the power of setting aside this or any other charter. Mr Robertson, however, the warm advocate of the old commercial system, entreated the House to look narrowly at this measure, so fraught with danger to the commercial interests of the country. Mr Fox's famous India bill, which at one time agitated every trading town in the empire, was not so pregnant with danger to the state.

What were the names that stood foremost upon the lists of this new company? Mr Baring, Mr Rothschild, Mr Irving, Mr Alexander, and others, the whole united money interest of the empire. A company thus formed was infinitely more dangerous than a chartered association of underwriters, personally responsible, and acting under limited restrictions.

The second reading was carried on, ly by 51 to 33, and though the majority was not very sweeping, the affair proceeded. On the 3d June, previous to its going into a committee, Alderman Thompson declared, that 1500 persons of the highest respectability would be completely ruined by it, and that the present system of marine insurance was the best that could be devised. He, Sir F. Ommaney, and Mr C. Forbes, called for successive divisions upon it, when, however, it was always carried by similar majorities. In the House of Lords, the old companies were heard against the measure; yet it met on the whole with little opposition. The Chancellor, however, intimated a conviction, that the public stood in need of some greater security than was afforded by the present constitution of joint stock companies. These views he first introduced on the occasion of the bill for the formation of a General Gas Company, with a capital of a million sterling. Subscribing and paying, he observed, were now-a-days very different things. The company might be sued by their treasurer; but of what avail was it to get a verdict against the treasurer, if he had no funds. The levying by distress would probably produce most distress to the creditor, for he would find nothing to carry away but a gasometer and inflammable air. His Lordship moved

a series of regulations to be applicable to such companies, among which the chief were, that the partners should, according to a statement upon oath, be enrolled in Chancery, and that a creditor might proceed against any two of them, leaving these to seek recourse against the others. As, however, the discussion of these clauses would have been incompatible with the passing the bill during the present Session, they were given up for the present, the companies being only warned that they might depend upon their being introduced next Session.

The bill putting an end to the monopoly of the two companies, as well as that constituting the Alliance Assurance Company, were thus passed, without opposition.

In the general progress of liberal ideas, the laws prohibiting the emigration of artisans, which, certainly, were grossly oppressive, and of no real use, were entirely repealed. A similar fate attended the laws against the combination of workmen to procure a rise of wages. It was considered as established, that the object of these combinations being merely an abstinence from labour, was what every man had a natural right to practise, if he chose; and that they could never actually raise the wages above the rate which was justified by the circumstances of the country. Punishment, however, was still awarded to those who, by threats or force, endeavoured to prevent others from working; but it was limited to imprisonment for two months, a penalty which we cannot but think exceedingly moderate, in the case of proceedings so irregular and detrimental to the public welfare and industry.



## CHAP. V.

## LEGAL AND CONSTITUTIONAL QUESTIONS.

*Disposition to Legal Reform.—Mr Williams' Motion for an Inquiry into the Court of Chancery.—Debate in the House of Lords on Appellant Jurisdiction.—Proceedings relating to new-modelling the Scotch Courts of Law.—Mr Lamb's Motion for allowing Counsel in cases of Felony.—Mr Abercromby's Motion respecting the Representation of the City of Edinburgh.*

IN the present otherwise tranquil state of the nation, there had arisen a strong and laudable desire to inquire into its legal administration. The jurisprudence of England, in some of its features, approached to perfection. The laws had never, in any country, been administered with greater purity, greater learning, or greater fidelity. Yet their administration was not exempted from crying evils. Those of expense and delay stood prominent, and amounted, in certain cases, not only to a denial of justice, but to something worse than actual injustice. Hitherto, however, there had been a tendency to consider these as something inevitably attached to the nature of law. Its forms and tribunals had appeared to possess a certain sacred character which could not be touched without peril. But the time was come when a spirit of hardy investigation could not be prevented from operating upon every department in which the public interest was involved. The above evils, especially

that of delay, were more than ever felt, in consequence of the legal business of the country having outgrown the provision made to administer it, so that the former amount of courts and judges no longer sufficed. This had been first and peculiarly brought into notice in the great departments of chancery and appeal; partly because there existed in them a peculiar extent of arrear, and partly because there were eloquent young senators who, from motives political and personal, were not indisposed to impute it to the indecisive and protracted course habitual to the illustrious judge who presided over these departments. Our last volume exhibited the warm debates which accompanied the formation of an arrangement, to transfer to another judge the main burden of appeals. Discussion, however, was not closed. The state of the chancery department was still represented as calling urgently for serious and comprehensive inquiry.

On the 24th February, Mr John Williams brought forward a motion to the above effect. He declared his wish for inquiry only, and was not at all prepared to come forward with any specific proposition. Too much, he feared, had already been ventured on this important subject on too little inquiry. Eleven years ago a legislative measure was passed without distinct inquiry; and now, in the other House, a measure was, he could not say in contemplation, but in adoption, to expose in all its nakedness the legal presumption, that the members of that House, merely as such members, were competent to decide on matters of law. The honourable member quoted several early precedents to shew, that it was competent for the House to take such a step. It had occurred to some eminent person (no matter to whom) that from the number of appeals which were presented against the judgments of the Scottish Courts, it was fair to suppose there must be something wrong in the system of those Courts. Accordingly, a northern expedition was fitted out, and commissioners appointed to ascertain whether everything was sound. He alluded to the act of 4th George IV. cap. 85. By this act, full power was given to the commissioners to make inquiry as to the different forms of process; to simplify—to shorten—to ascertain whether the questions of fact could not be separated from those of law, and, in short, to promote justice. This he considered a wise, as the House had pronounced it, a salutary measure. The inquiry, in his opinion, ought to be entered into by a committee of the whole House. Mr Williams admitted the difficulty of the task, and his own little experience in Chancery business, yet he was confident of being able to prove all he had asserted on a former occasion. He would shew not only that the suitors

of the Court of Chancery were harassed by delay, but that even victory and ruin too often came together. He had applied, indeed, to several solicitors for information, but in vain. In several cases, after having at first obtained a promise, it was afterwards stated, that the parties could not comply with his wish without serious consequences to themselves. This reminded him of an allusion once made by the late Mr Burke, who observed, that there were some men like cats, that would not elicit any light until their backs were well rubbed. These circumstances clearly shewed the necessity of a committee; for information at present, by some means or other, was stifled. It appeared by the documents on the table of the House, that from 1813 to 1823, only 84 or 85 cases had been decided, being eight and a fraction in the year. Some of these were decided in two or three months, others in six or seven years. Thus were cases disposed of by fits and starts, and without regard to the least order or regularity. As he appealed to facts alone, he would refer the House to the last two terms, so far as regarded appeals, original causes, and rehearings. In one there had been no judgment; in another the case had been reheard, and no judgment; in another, an opinion had been given, but no judgment, and, consequently, no order could be drawn up; in another, case heard, but no judgment; in another, part heard, but no judgment; in another, as to the collegiate church of Manchester, there was a judgment, the only one. This was a case in which the judgment and the argument together did not take up half an hour. It would, no doubt, be asserted from the other side, that there had been no delay beyond what was necessary. It happened that there was nothing, however paradoxical, which could not be asserted in that

House, which would not be believed, if it were asserted by a person standing in a proper position. It became, therefore, a question of locality, and he happened to be in the wrong place. He would go into the detail of particular cases. The first was that of *Dudley v. Freeman*, affecting the title to 2000 acres of land, and an accumulated sum of 100,000*l.* The bill had been pled in 1784, and the suit was prolonged till 1823. Mr Williams proposed applying to the solicitor for information, but he was no longer in a situation to give it, for men die though suits survive. It appeared, however, that he had charged for 40 attendancies to call for judgment, and that his successor to this worn-out suit had attended 16 specific appointments for judgment. Anxiety in such a case might surely be forgiven. The next case was the case of the Earl of Moira against Wyatt and others. The bill was filed in 1814; the case heard in 1817, and remained untouched until the year 1819, many applications having been made for judgment. It was then said that the papers had been lost by the officer whose business it was to take care of them; fresh papers were then furnished; and then it was said that there must be a rehearing. (Loud cheers from the Opposition.) Fresh learned gentlemen were then retained; fresh discussion took place; the Chancellor said he would take the papers home with him, and give his 'judgment to-morrow,' but never—no, never, did that morrow come—and the despairing suitors were driven to a compromise. If this was not a denial, it surely was a failure of justice. The next was that of a gentleman whose name he should not here mention, but he would give it privately to any member who should apply for it. From mere fear of the Court, and not from any doubt of his case, this gentleman had consented to give up half

his property in a compromise. Another gentleman gained his cause; but in the course of the proceedings the defendant had become bankrupt, and a loss of 100,000*l.* was thus incurred. Another case was that of Gough against Lord Somers. It was heard in 1815, and application was made for judgment 40 times while it stood in the paper in the years 1815 and 1816. Those applications had been continued down to the present time; but no judgment had yet been given. The case was still pending, and might probably until the more serious day of judgment should arrive. The last case to which he should refer was the case of *Copts v. Middleton*. The bill was filed in the year 1793, for an account, and prayed that the defendant might be charged with a certain windmill in dispute. In the year 1796 there was a decree referring the case to the Master; and the case remained asleep in the Master's office for nineteen years. However, in the year 1815, there was a report, and exception to it; all upon matter not connected with the main question in dispute; mere interlocutory matter, as it was called, mere fringe. In 1818, time, which was known in the Court of Chancery only by its loss, was at work out of doors, and affected the windmill, the main subject in dispute, and which had been forgotten in the able arguments on the interlocutory matter, the fringe. The windmill was gone, was levelled with the ground, and was not worth the paper on which the case for the learned combatants was written. The decrees of the Court of Chancery were on stamps, at three shillings a-side, and they were so voluminous that a decree amounted sometimes to 40*l.* or 50*l.*, and would not pay the expense of writing out. The expense of Masters' reports was very great, and their mode of issuing warrants often very inconvenient. The prophecies made

at the time of the passing of the Vice-Chancellor's bill had been realised. What had been heard by the Vice-Chancellor had been reheard by the Lord Chancellor, and the same arrears consequently existed. Thus, when the Vice-Chancellor was appointed, there were 141 causes to be heard, and 104 were the number of appeals from his court to the Lord Chancellor. He considered it a subject of inquiry, whether the political character of the Lord Chancellor should not be separated from his judicial functions. The former must often interfere with the due exercise of the latter, and were contrary to the principle of the British constitution, which required the judges to be independent of the crown. He declined entering into any labour-ed encomium of the individual holding the office, but conceived, if even the splendid endowments ascribed to him were unequal to the discharge of its functions, what must the situation of England be when it descended, as it must some time do, to an inferior hand? His sense of the difficulties of his task was increased by recollecting the failure of the most powerful and boldest man this country ever produced, he meant the Protector Cromwell. In a memorial of rights which he made to the House early in his public career, he repeated the necessity of a speedy reform being made in the law, "the intricacy and delay of which," he said, "was a source of profit to particular men, but of expense and damage to the whole community." When in the zenith of his power he attempted to reform the Court of Chancery, at a time when lawyers were not so many, and when the Lord Chancellor was not so powerful, yet he attempted in vain. This failure he was said to have expressed somewhat in the following manner:—"I have met the king in the field and conquered him—the church I have new-modelled and cast

as I please—the people of England I have quelled and still keep down; but these lawyers, when I begin to meddle with them, I fail, and am defeated."

Mr Peel began by declaring his incompetency to enter into the details on this subject; but, indeed, he conceived, that the present was neither the time nor the place for doing so. His object in rising was merely to state, that the subject had recently drawn the attention of his Majesty's government. The honourable and learned gentleman had said, that it was the habit of the House to declare upon this subject, in a tone of confidence and boldness that knew no parallel, that there were no delays and no grievances. While he had been in that House, he must confess he had never heard such a denial. For the last twelve years, on the contrary, the attention of the House had been called to the subject, and remedies had been attempted. In 1813, when the Vice-Chancellor's bill was brought in, and discussed, was the existence of delays denied? Last year, when the subject of the Appellant Jurisdiction was looked into by the House, was the existence of delays denied? Mr Peel then admitted that he was not competent to deny those delays. There were delays and grievances in that Court, and he admitted this with the less hesitation, as he was prepared to prove that it could not be imputed as matter of crimination to any one. The mere increase in the population and wealth of the country afforded a presumptive proof that there must be a great increase of business. The same result would be still more decidedly obtained, by examining the comparative number of cases in each of the Chancery departments. The hearing of lunatic petitions was a most important branch. During Lord Hardwicke's Chancellorship, from 1737 to 1746, there were 434 orders on lu-

natic petitions. From 1801 to 1810 the same length of time, by Lord Eldon, there were 1139, which was more than double; and from 1814 to 1823, the number of orders had increased to 2531, which was five times the number that were made by Lord Hardwicke in the same space of time. When, therefore, delays were imputed, and made the channel of a personal attack, which the whole tenor of the honourable and learned gentleman's speech proved, especially that part where he detailed all the attendance to hear judgment—when this delay was made the subject of a personal attack, they were bound to look at the quantity of business in reality done. (Hear!)—It turned out then that in lunatic petitions alone five times as much had been done by Lord Eldon as by his predecessor. Here then he was fortified in the statement he had made, that the business of the Court of Chancery had considerably increased. He would next ask the House to look at the appeals to the House of Lords. These, it would be found, stood as follows:—

From 1750 to 1760, 107 appeals.

1760 to 1770, 272

1801 to 1810, 490.

Shewing an increase of more than double within the same space of time. The same result would still present itself were they to examine another department of the business of the Court of Chancery—he meant the Commissions of Bankruptcy. Here they would find, that from 1770 to 1790, there were 719 in each year. From 1790 to 1800, there were 1009 in each year; and for the last 12 years, there had been 2000 per annum, which was nearly three times as much as was done in the same space by the present Chancellor's predecessor. He had further proofs, however, of the increase of business in the Court, and the consequent diligence of the noble lord

now presiding. This he drew from a reference to the number of bills filed. In 1800 they would be found to be 1145; in 1820, 2071; and in 1823, 2327, shewing an increase of nearly double. There was a farther criterion of this increase in the amount of property belonging to suitors in the Court, and to this he would also refer, and with the same success as to his original position. In 1710 the balances in the hands of the accountant of the Court amounted to 1,290,000*l.*, in 1820 they amounted to 34,000,000*l.* When he considered the manifold important duties attached to the office of that noble lord, he hoped it would not be imputed to the prejudice or partiality of friendship, if he said, that he was astonished at the human ability and strength which he displayed in discharging so much of those duties as he did. When they looked at the rate of two thousand bankruptcy commissions per annum, issued during the last ten years, and the thousands of lunatic petitions, the only question for the House was, whether it was possible for human powers to do more? Let them judge of the nature of his attendance in the House of Lords, from what two cases only had demanded from him. He alluded to the Berkeley and Roxburgh cases. A Committee of Privileges had sat upon one from the hours of ten to four, in all 34 days! The Roxburgh had occupied 26 days, and 44 in the peerage; thus 70 in the whole. It was, moreover, impossible to prevent lawyers from occupying an unconscionable length of time in their pleadings; that of one learned barrister had consumed 18 days. The Committee on the Appellant Jurisdiction had reported the impossibility of the individual holding the Great Seal performing the business of Chancery, of the House of Lords, and all the other functions of his high office. The present Lord Chancellor,

accordingly, had taken the subject into full consideration, and had given advice to the crown to appoint a commission under the Great Seal, to consider of all the important subjects embraced by the report. This commission, it was proposed, should inquire into precisely the same topics as proposed by the honourable and learned gentleman himself, with the single exception of the union of the judicial and political character of the Lord Chancellor, a subject which, in his opinion, neither a committee of that House, nor a commission of the kind alluded to, were altogether the best fitted for discussing. Mr Peel saw no reason why a list of unclaimed dividends should not be published; and the removal of the bankruptcy business, which did not belong to Chancery in its original constitution, appeared a fair subject for inquiry. Mr Williams might, perhaps, represent this proposal as merely a mode of getting rid of this motion for a parliamentary inquiry. Mr Peel did, however, declare, that a commission under the Great Seal was a mode of inquiry far better adapted to the subject than any committee of that House. He would suppose that they would call in aid those great luminaries of the law who had retired from public life, the judges and others. He would ask the House, with the aid of such characters as Lord Redesdale and Sir William Grant, men who had retired from the discharge of their public duties with universal approbation, whether the investigation was not likely to proceed with better success than in a committee of that House, which could not have the benefit of such assistance. Any other commission would have the appearance of criminating the noble lord. If he divided alone, he would never consent to any course having that tendency towards an illustrious character who had administered jus-

tice in the highest court in the realm for 22 years. He was then before them in his judicial, not his political, capacity. His judicial conduct was above all praise. He thought, and ever should, that no individual who had ever served the public had been more the object of unmerited obloquy and attack than the present Lord Chancellor. Charges had been brought against him which he could not notice. He was represented as a man of enormous wealth, resisting every reform tending to reduce his profits. On his conscience he believed that nothing was more false than this. The profits of his office were the same as ever they had been, and was there any man in the country who believed that it would be advisable that the high office of Lord Chancellor should not be splendidly endowed? After all deductions, the profits of his office for the last three years had not been more than twelve thousand pounds a-year! God forbid that money should be the rule of official integrity; but it was a miserable and petty policy to permit the office of Lord Chancellor to be divested of its emoluments. Half the expense of the Vice-Chancellor's appointment had been defrayed by him, and he had wished the whole to be taken from him. He had splendidly endowed offices in his own gift out of his own pocket for the benefit of the public. A new arrangement had been requisite in the office of the Secretary of Bankruptcy, where too many holidays were allowed. Lord Eldon had ordered that attendance should be given every day, and it had never been known till that moment, he believed, that the necessary endowment for this purpose came out of his own pocket. In the space of seven years that illustrious individual had paid 13,000*l.* out of the proceeds of his own professional labour towards the reform of an office doing the duty of the public. If hesitation were some-

times visible in his conduct, it was a failing on the side of virtue, proceeding from an unwillingness to pronounce a decree which was to raise one party to affluence at the expense of total ruin to another. And surely for such a fault, if well founded, they would not allow an individual who had served the country for 22 years, endowed with such splendid qualifications and such unexampled integrity, to be harshly aspersed. If the evils complained of proceeded from idleness, or the propensities of the individual, it might be different; but when for 22 years he had denied himself every indulgence, and abandoned the society of the world, it was impossible to do anything but admire the individual. The people of this country were not ungrateful; and when they saw justice administered as it had been for 22 years, by a family whose name would illustrate the judicial records of the country in after times as that of Scott must do, if that House refused to cast a personal stigma, or the appearance of one, on Lord Eldon, he sincerely believed the people of this country generous enough to applaud the decision.

Mr Abercromby congratulated Mr Williams on the success of his labours, in their having led to the appointment of a commission. All, however, would depend on the manner in which it was composed, and he had no great confidence in those who had the appointment. If the Lord Chancellor were his dearest friend, he would say that he ought to have no hand in it, since it was not in human nature that he should impartially appoint the members.

Mr Brougham expressed this sentiment still more strongly. That the Lord Chancellor should take upon himself the trouble of nominating the commissioners who were to enter on the proposed inquiry—that he, whose frailty was indecision, as his friends

admitted, to answer or avoid other charges—that he should undertake to decide on the state of his own Court, and be the judge of his own conduct, was the most incomprehensible thing he could have imagined, was the greatest anomaly and most inconsistent proceeding that could have been recommended. If the commissioners were to be so appointed, he would not say that nothing was to be expected from them; but this he must say, that his hopes of them accomplishing the object in view were very moderate indeed. He thought a similar inquiry should be made into the other courts of law. Upon the whole, grateful to the honourable gentleman for the advantages already gained, he should be glad to see the inquiry proceed, no compromise having been made on the part of the House, but the House remaining perfectly unfettered to watch its progress, and act according to circumstances; and he therefore hoped the honourable and learned gentleman would, under the circumstances, not take the sense of the House on his motion, but wait to see what would result from the commission.

Mr Canning, after the remarks of the last speakers, deemed it proper for some minister to rise, in order to satisfy the House, that it was the determination, not only of the noble lord with whom the plan originated, but also of his Majesty's government, that the inquiry should be made as seriously, as sincerely, and as efficaciously, as possible. It was desirable not to trifle with the House, and he was sure an inquiry would not have been consented to at this time of day, had it not been the wish of ministers that the subject should be pursued to a final, and, if possible, to a beneficial settlement. It would be the object of government to form the commission so, that to the eyes of the world it should distinctly appear, that they would do their duty.

without fear or favour, and with that knowledge of the subject which should satisfy the wishes of the House. The honourable and learned gentleman had given it as his opinion that the commission would be more efficient if it were instructed to extend its inquiries to the courts of common law. He put it to the candour of the honourable and learned gentleman himself, whether, if this had been done, it might not have been supposed to be the object of ministers to dilute and weaken the effect of the inquiry by spreading it over so many objects? Whatever might be done hereafter, he thought his right honourable friend was right in confining the labours of the present commission to the courts of equity; but in doing so, the House and the Government were not precluded from instituting similar inquiries into the common courts of law at any future opportunity, in order to cancel any defects that might exist, and to regulate, improve, and simplify the administration of justice. Whether Lord Eldon was destined to be the last Lord Chancellor, or whether measures could be devised for enabling that high officer to execute all the functions which had hitherto belonged to his place, this he hoped would be the result, rather than that they should be separated. His lordship would proudly stand before the world as having discharged them all in a manner which deserved, and which had obtained, the admiration of mankind.

Mr Williams, though objecting to the mode of forming the commission, was willing that the experiment should be tried, and, therefore, withdrew his motion.

The arrangements made last session for relieving the Chancellor of the main burthen of the Appellant Jurisdiction, were now called into some question. Lord Calthorpe, on the 9th

March, in the House of Peers, though he did not choose to bring forward a positive motion on the subject, took occasion, when a committee was to be nominated for an inquiry into the office of Clerk of Parliament, to make a few observations. He was far from wishing to depreciate the qualifications of the individual who was recently appointed to preside at the hearing of causes, but he certainly could not have the same authority as the noble and learned lord with whom the House and the public were more intimately acquainted. There was, besides, a great anomaly in bringing appeals from a superior judge before an inferior; and though this argument might seldom apply with respect to English causes, it certainly did as to the Scotch, since the individual to whom he alluded was in judicial authority inferior to the Lord President of the Court of Session. Supposing, then, that the judgment was always that of the individual who presided in the absence of the Lord Chancellor, there was this objection to be made; but if it was said that the House decided, then he would ask who were the colleagues by whom that individual was assisted? How could the judgment be said to be that of their lordships as a body, when the regulation made by the House for hearing appeals proceeded on the supposition that each noble lord attended only one day? He did not mean to say that the regulation precluded any noble lords from attending; but in fact no others were expected to attend besides those whose names were in the order. This arrangement, in his opinion, tended to lower the dignity of the House in the eyes of the public, and he hoped it would not be continued.

Lord Liverpool, after objecting to the occasion on which this discussion was introduced, proceeded, however, to defend the measure, against the ob-



jections now made. The regulation of the House which the noble lord had now thought proper to attack, was one which had been the result of a long and deliberate inquiry, made by a committee, whose recommendation was adopted after mature consideration by the House. It was true their lordships had but a choice of evils. The committee proposed what appeared to them as the best regulation, and which, after several long debates, was agreed to. The great object proposed to be attained by the regulation was to do justice to the appellants, who called for the decision of the House on their cases, and more particularly to those of that part of the United Kingdom to which the greatest arrear was due. There certainly was some difference of opinion as to the mode proposed in the committee, but there was no difference of opinion as to the necessity of getting rid of the arrear of appeals by some means or other. Their lordships must be aware, that a commission of inquiry into the administration of justice in Scotland was going on. The report of that commission would soon be laid before Parliament, and he hoped that, in consequence of its recommendation, measures would be adopted to lessen the number of appeals; but if their lordships were certain that the system of administering justice in Scotland was perfect, still it would be necessary to get rid of the existing arrear of appeals. The measure was therefore likely to be of a temporary nature. As to the objection taken to the mode of securing the attendance of Peers, he conceived it to be of little weight. He must maintain, that whether three lords or thirty were present, the decision which they came to was the decision of the House, and was as complete as if every noble lord were in his place when it was made. Though certain lords were summoned to at-

tend on the hearing of appeals, it was not to be supposed that no other noble lords were present. Those to whose judgment in matters of that kind the House was accustomed to pay respect were often in their places. A noble and learned friend of his (Lord Redesdale,) who was exempted on account of his age, and whose name had not been drawn, nevertheless gave his attendance on appeals.

Lord Holland entirely concurred in the observations of Lord Calthorpe. The noble earl was of opinion, that the regulation worked well and conveniently for those who applied to avail themselves of its operation. But whether it had this effect or not, it afforded the first instance of a distinct exposure to the public that the decisions made within these walls were not the decisions of the House of Peers, but of certain individuals, and that their lordships, as to any judgment which was given, were reduced to the state of mere ciphers. After more reflection on the subject, he must assure their Lordships, that it appeared to him that it would be better even to make some encroachment on the constitution, than to go on with such a regulation as this. It would be better to appoint a committee, and invest it with the judicial authority of the House, than to adhere to a measure which was sapping the respect due from the public to the House. It was certainly true that no law decisions were adopted without consulting the noble and learned persons who presided, or had seats in the House. But that was not necessary. Every noble lord was entitled to vote according to his own opinion; he knew of no distinction of learned and unlearned lords; they were all *pares in Parlamento*. They were all equally Peers, whether they sat on a woolsack or on a bench; but now, for the first time, this resolution respecting the hearing

of appeals informed the public that there were distinctions among them—that it was not the body of the Peers who gave judgment, but other persons who attended and decided for them. He knew it would be said, that it had always been so, that the decisions were formerly given by the law lords who attended; but the difference was very great when the fact was so distinctly exposed. After a few observations from Lords Harrowby and Darnley, the conversation dropped.

The most important legal measure brought forward in the present Session, was the bill for entirely new-modelling the proceedings before the Scotch courts of law. To this subject the attention of the English public had been particularly drawn by the extraordinary frequency of appeals from that country, while from the English courts there were almost none. This was supposed to indicate an inferior degree of confidence in the decisions of the former; though it was doubtless also, in a great measure, prompted by the hope of the appellant, that he might be judged by a different standard of law, and might thus obtain a fresh chance. There does, however, appear, according to the general consent of candid observers, to be some want of due arrangements to separate the fact and the law, and to bring matters to a precise point; a want of preciseness in the original averments, and a pernicious power of continually bringing forward new matter in the course of the proceeding. The power of bringing the decision of each court under its own review, occasioned both an increase of delay and expense, and was supposed to render the court less diligent in forming its original judgment. A Parliamentary commission, accor-

dingly, had been long since named, which, after numerous inquiries and reports, drew up one general report, having in view a thorough revisal of the system, and containing materials upon which a bill for that purpose could be founded. Although these reports met the sanction of ministers, the zeal to press their adoption was chiefly on the side of the Whig members, both in England and Scotland.

Lord Archibald Hamilton was the first who brought the subject before the House. On the 30th March he moved, that the twelve reports of the commissioners appointed to inquire into the courts of law in Scotland, be referred to a committee of the whole House. The noble lord said, the country at large, and Scotland in particular, was much disappointed that no steps had been taken in consequence of these reports. A measure had been recommended in 1808, and the recommendation repeatedly renewed; and yet, in 1824, the measure so recommended was still in abeyance. That commission had cost the country 40,000*l.*; and the expense he should not repine at, had any beneficial effects resulted from it. The commission had recommended a saving of 6000*l.* a-year of the public money, and 12,000*l.* to suitors in the shape of fees. But the actual saving had not yet exceeded 5000*l.* a-year. In the Court of Session, ten offices had been recommended for abolition, and three had been actually abolished, and the nett saving had been 380*l.* a-year, instead of 6000*l.* recommended by the commissioners. One half of the reports had never been acted upon at all. In the Commissary Court, out of five offices recommended for abolition, only one had been abolished, and instead of a saving of 1800*l.*, 400*l.* a-year only had been reduced. In the Court of Chancery, not a single office

had been abolished. Many illegal exactions took place under the name of drink-money, which called loudly for abolition. In the Court of Exchequer, one baron, and a deputy-remembrancer, had not been appointed, who, as they had not been abolished by legislative enactment, might at any time be revived. The noble lord then animadverted on the composition of the Sheriffs', Lord Lyon's, and Justices of Peace Courts, all of which, he contended, required revision and reformation. The 11th report related to the Scotch Burgh Courts, on which he (Lord A. H.) had failed to persuade the House to enter into his views. On this subject, the recommendation of the commissioners had been wholly unattended to, and the bill introduced by the learned lord had been wholly without efficacy.

The Lord Advocate could have understood the object of the noble lord, had he proposed to refer the reports of the commissioners to a select committee. He, for himself, could say that he felt no objection to carry into effect the reports of the commissioners. The reports were valuable for the information they contained, and, upon the whole, were highly creditable to the character of the Scotch Courts. With respect to the Lord Lyon's Court, and the complaints that had been made of the Lord Lyon having, on the payment of a fee, granted permission to persons to have supporters to their arms, who were not entitled to them, he had only to state, that, on his recommendation, the Secretary of State had signified to the officer holding that situation, that if he persisted in such an invasion of the royal prerogative, legal measures would be adopted to teach him his duty. That he conceived to be sufficient. The noble lord went on to state, that most of the recommendations of the commissioners had been carried into effect,

and the rest were about to be so. His situation was peculiarly delicate. If he proposed no bills he was accused of neglect of duty; if he brought in bills, he had been opposed in every stage by the noble lord and the honourable gentlemen opposite. That had been particularly the case with the bill for regulating the Commissary Courts; a bill which went to abolish 20 offices in the gift of the Crown, which had been opposed in all its stages by the noble lord. The quarter sessions were almost unknown in Scotland, and he was of opinion, that the justices of Scotland might have the same power of trying causes at their quarter-sessions, that the justices in England possessed. Such a step was calculated to raise the character of the gentry of Scotland, and also to promote the administration of justice. At the time of the disturbances of Glasgow, the noble lord, as well as others, left that part of the country, instead of giving their support to government. This they had done, from the belief that the whole duty should be done by the Sheriff and the Lord Advocate. He was disposed to refer the report relative to the justices to a select committee.

After some conversation, the motion was negatived by a majority of 124 to 48.

Mr Peel, in the course of the session, prepared and moved a bill founded upon the late report of the Parliamentary commission, for the general amendment of the forms of Scottish judicature. It was to commence in May of the following year; and though the session was now far advanced, there was a general understanding that the bill would be pressed through before its close. In Scotland, however, a strong and sudden movement manifested itself against so precipitate a conclusion. Although the measure

was now brought forward by ministry, yet the leading persons connected with them in that country were foremost in opposing its immediate passing. A meeting was called of the county of Edinburgh, in which Mr Dundas, nephew of the late Lord Melville, moved a petition for delay till next session. The detail of the bill, it was observed, had come down only on the 11th of June, this being the 15th, and if it passed this session, it must pass before the end of the month. It was impossible, therefore, for the people of Scotland, or the bodies connected with the law, to form, and, much more, to express, anything like a deliberate opinion upon its merits. Nothing, it was alleged, could be more unjust and indecent, or more opposite to Whig principles, than thus to change the whole legal constitution of a country almost without its knowledge, and without the possibility of its being heard on the subject. These arguments were somewhat unanswerable, and the Whigs had little to say on any general principle. They could only declare their deep presentiment, that if the measure were not pushed through now, it would never get through at all; that their opponents, if they should obtain the delay now craved, would call such machinery into play, as would either put a stop to the passing of any bill whatever, or would render it of a frivolous and nugatory nature, which would leave untouched all the grand abuses of the system. The other party absolutely denied any such sweeping plan or determination; and in the issue, only four voted against the motion of Mr Dundas. The faculty of advocates, the writers to the signet, the solicitors or agents, and all the bodies connected with the administration of justice, met and prepared similar petitions.

On the 17th June, when Mr Peel was to move the second reading of the

bill, the table was covered with petitions from the above bodies. The honourable Secretary, therefore, stated, that it was not his intention to press it through Parliament in the present session. He understood that the representatives for Scotland were very anxious to have an opportunity of consulting their constituents, and that those constituents were most desirous to have time to prepare, and present petitions to the House.

Mr Abercromby confessed that he had been much disheartened by the speech of the right honourable gentleman, as, after the delivery of it, it would be merely a mockery to hold out to the people of Scotland the slightest hope that the bill under consideration would ever be passed into a law, at least during the administration of the right honourable gentleman.

The Lord Advocate observed, that the 11th of May next was the day upon which it was proposed that this measure should take effect. It was clear, therefore, that none of that haste contended for by the honourable and learned gentlemen opposite was in reality called for. He considered it would be a very unfair course not to allow the population of Scotland the opportunity of expressing their opinion of a measure which so nearly concerned them. He had done his utmost to prevent the bill passing this session, and if there was any crime, he was chargeable with it.

Mr Kennedy was afraid that, by the clamour which was raised, and the ignorant opinions which were expressed, the measure would be ultimately sacrificed.

Mr Courtenay said, that as to whether this bill would be in a better state if brought forward at an earlier period of the session, was not now the question. He, for one, regretted that it had not; but he quite agreed with his

right honourable friend, Mr Peel, in the propriety of postponing it at present.

Lord Binning thought the House ought to avoid the appearance of disrespect in thrusting down the throats of the people of Scotland a measure which they conceived to be second to none in importance since the act of Union; and he was convinced that the proposed delay was essentially necessary, either to insure the success of the measure, or to render it at all satisfactory to that country.

Mr Secretary Canning said he consented to the postponement of the measure out of a feeling of respect for the people of Scotland, who were at present greatly opposed to the bill. The conduct of government had been censured in this question; but let the House remember, that up to a very late period there was no idea of the kind of feeling which existed on the subject. But he would venture to predict, in opposition to the predictions of gentlemen opposite, that in the course of next session this bill would substantially pass into a law.—The House would shew itself wanting in discretion to force down a measure in opposition to the public feeling. In proposing delay, he had no other object in view than to soothe the present hostile feeling, and by soothing, to overcome it; and he thought it much better that the measure should stop here, than be suspended in the other House, as if there existed some doubt of its propriety.—And even though the government might subject themselves, as they had anticipated, to the observations of the honourable gentlemen opposite, they thought it preferable to stop the measure here, paying so much deference to the national feeling of Scotland.

**The bill for regulating the choice of juries in Scotland, which had been**

pressed for some time by Mr Kennedy, was carried this Session in the House of Commons. Its objects were to prevent any possibility of the packing of juries, to withdraw from the judges the influence which they at present possessed in the important process to which the bill related, and to cause it to be regulated either by rotation or ballot. In the House of Lords, however, it was negatived without a division, on the motion of Lord Melville, who objected to some of its provisions, but, at the same time, undertook to bring in a bill next session, embracing all its essential objects.

Mr Lamb, on the 6th April, brought in a motion to reform that certainly very strange feature of English law, which refuses counsel to prisoners tried for felony. He did not wish to propose any violent innovations which might make our old lawyers startle in their graves, but he wished to secure for the accused an important instrument for obtaining justice. He thought it most unfortunate that it had ever been held, “the Court could be counsel for the prisoner.” This, he maintained, the Court could not be. No judge could act for a prisoner with the same acuteness as counsel could, however he might wish to do it. The judge could only know the case from the depositions laid before him; but there were many things which a prisoner could communicate to his counsel, which it was important that he should know, and which he could not convey to a judge. The distinctions taken between the situations of judge and counsel for the prisoner were frequent. In the case of a person of the name of Udall, in the reign of Queen Elizabeth, the prisoner having asked how many of the jurors he might challenge, was answered, “I can’t tell you, I sit here as judge, and not as counsel.” A similar opinion had been

expressed on the occasion of another trial in the same reign. He objected altogether to the idea of considering the judge as counsel for the prisoner. There had been times, and though it was not to be expected, it was possible that such times would return again, when this safeguard for human life would be found in a Jeffries, a Page, or an Apscough. He was aware that the gentlemen opposite would be likely to say this is all very well, but what practical evil is there to be made the subject of complaint? He would say, that he thought it not enough that justice should be impartially administered, but that the public should feel satisfied that it was so. Were counsel not allowed, how could age, infirmity, idiocy, or insanity, defend themselves. In the case of a person who was insane, how affecting was the situation of the party accused when called upon to prove his own insanity, and to explain how it acted upon him. On the trial of Lord Ferrers, the noble prisoner complained that he was reduced to the miserable necessity of trying to prove his own want of understanding. He did not propose to dwell on the evils experienced in modern times, but if he did he should refer to the case of that ruffian in Hertfordshire, who had lately occupied the public attention, and who had not only disgraced himself, but had also made many others disgrace themselves, by the stupid admiration which had been expressed on the subject of his conduct at the close of his career. He would ask those who had watched that man, from the time of his arrest to that of his trial, if they did not believe that he had been buoyed up, not by the hope of acquittal perhaps, but by the expectation of cutting a figure by means of the silly farrago which he had got together, and thus, going out of the world with eclat, furnish a set-off against the guilt of the murderer

in the lustre which would attach to the orator and the man.

Mr North pronounced a high panegyric on the criminal justice of the country, in which everything was as favourable as possible for the prisoner. He doubted much if it would be advantageous to give him more. At present the counsel for the prosecution felt himself bound to give a simple and colourless detail of the facts. Were counsel allowed to plead for the defence, it would be their duty to struggle with the evidence, and if they could not convince the jury, they would endeavour to affect them. The consequence of this would be, that a different course from that now taken would be pursued by those who conducted the prosecution, and the sober tribunal of a court of justice would become an arena for the contention of two disputants, the stake for which they struggled being the life of a man. There had been no petitions for this change, as there was for every other in which the people felt themselves really interested. It might be wished for by dilettanti lawyers and philosophers, but the people did not require it.

Sir James Macintosh admitted the ability of the pleading made by the last speaker, but saw no reason which he had given for such an anomaly in the law. It was certainly a maxim of British law, that a man charged with any crime should have the fullest means of defence, but how came it in this case, that a man, mistrusting his own ability to defend himself, should not be allowed to call for other assistance? The burthen of proof was certainly on the side of those who undertook to vindicate this notorious deviation from the principle of natural justice. That it was such a deviation, he appealed for proof to those codes of civilized nations, which recorded and deposited the moral feelings and judgments of

the whole human race. He appealed to Scotland and to the United States of America, in both of which cases a full and open defence, not a mutilated defence connived at by the law, was allowed. Where could be the difference between the prisoner in the case of treason or misdemeanour, and that of the felon, excepting that in the two first cases men of talent and education, capable of making some defence for themselves, were on their trial, and in the other, poor and ignorant individuals, who possessed no means of defence within themselves. He joined his honourable and learned friend, Mr Lamb, in deprecating the false sympathy which had been shewn on the subject of the late trial at Hertford—a sympathy in favour of one of the most execrable ruffians that ever disgraced society. With regard to the defence made on that occasion, he considered that had there been any doubt whatever in the case, this defence would have removed it. It was a most fatal defence, assuming a theatrical appearance, and affording a proof that the mind of the man had early assumed a theatrical character, to which he clung in his last moments, to the exclusion even of consideration of the danger of his situation, and which throughout life had imparted that desperately resolute and wickedly intrepid character to his mind which made him shrink from no act.

The Attorney-General conceived, that an alteration in the law would be in the extremest degree injurious, and would have no tendency to elicit truth or benefit the party accused. Nothing, he considered, could be more fair, candid, or cool, than the discussion in a court of justice in a case of life and death. There was no one in that House who had not witnessed such a scene, and he asked whether anything could be better conducted? The greatest order and regularity prevailed;

there was no excitement, nor anything which could at all interfere with a candid and impartial inquiry. If this, then, were the case, ought they not to pause before they assented to an innovation of the nature now demanded? In all cases where life was involved, the counsel for the prosecution did not go beyond a cool and naked statement of the case; if he departed from this line, it was well known that the judge interposed. Now if this alteration was made, they would have the whole thing changed into a contest of counsel, with the passions of both sides heated and brought into play.

The Solicitor-General urged similar arguments; while Dr Lushington, Mr Denman, and Mr Martin of Galway supported the motion. Mr Denman bore his testimony, as a judge, to the benefit which those acting in that capacity would derive from the measure proposed. He considered it a libel upon the judge to say that he acted as counsel for the prisoner.

The motion, of which we must say that the reasons urged in opposition do not appear to have been very cogent, was negatived by a majority only of 30, (80 to 50.)

The question of Parliamentary reform slumbered, in a great measure, during the present session. The only shape in which it came forward was a local case, certainly of a very prominent character. Mr Abercromby brought forward a motion for a reform in the single case of the representation of Edinburgh. He had last year, he observed, in obedience to the wishes of a numerous, intelligent, and respectable body of his fellow-citizens, presented the petition which they had just heard read; at the time that he had received it, the House was engaged in urgent business; and he had postponed founding any motion upon it, until he might have better reason to hope

for the patient and undivided attention of the House. If the object of his motion had been general reform, he would have to contend against the recorded votes of that House,—against the deep-rooted opinions of individual members of it, and against what some term the prejudices and self-interest of others. But the reform which he proposed was of a very confined nature. The petitioners were supported by a great mass of public opinion. He was therefore sure of success at one stage or another of his labours. The petition which he had just heard read had been voted by a large meeting of the inhabitants of Edinburgh. The Lord Provost, indeed, had withheld his countenance from it, but it was signed by nearly 7000 inhabitant householders. From its numbers alone, therefore, it deserved a favourable reception from that House. There never was, indeed, a petition more numerously signed, or which, from its nature, so strongly called for the favourable and impartial consideration of the House. Edinburgh contained 21,000 householders; of this number 10,160 were rated at a rent of 5*l.* and upwards. Of this number he abstracted one-fourth for errors, sick, and absentees, leaving the number remaining who had signed the petition upwards of three-fourths of the population of that city paying 5*l.* and upwards of rent. The greatest pains, he assured the House, had been taken to insure the signatures of none but those who paid this amount of rent. The population of Edinburgh amounted to 100,000, of whom theoretically 33, but practically and essentially only 19, exercised the right of voting. This right was vested in a body called the town-council, which consisted of 33 members, who carried within themselves the principle of self-election. The ground of his stating this was, that each member had

the power of appointing his successor, which he conceived to be one and the same thing with self-election, for his successor was equally bound to re-elect the member from whom he received his original appointment. But the majority of 33 was 17, so that there were two to spare in the number of 19, which he had stated to be the electors of the member to that House. The 14 other members were called deacons, and were chosen by the incorporated trades. Each trade selected four names, out of which the town-council could erase three; so that unless the four were similar in sentiment, the trades would have no chance of being represented, as they wished. How such a system of election as regarded the member returned to that House was to be defended, he knew not. He asked the House if it were likely that this limited number of men thus elected, would be likely to choose an independent and public-spirited representative, and not rather one who could have ready access to the Treasury, and could secure to them some of the good things which flowed from that golden source? He considered it evident, that the present town-council did not represent the sentiments and feelings of the inhabitants of Edinburgh. That House knew it, as having seen many important interests separated from the town-council, which had, since the separation, been found to flourish. Indeed, if any institutions were to be founded in Edinburgh, it was the common saying—“Don’t let the town-council get hold of it.” There were peculiarities in the city of Edinburgh which gave it strong claims on the attention of Parliament. It was the seat of the administration of justice, and numbered among its inhabitants many of the most distinguished ornaments of the bar. It contained many eminent characters, who exercised the most power-



ful and controlling influence on public opinion, besides a most distinguished university, the professors belonging to it, numerous persons of fortune, who came to reside in the capital, and a large and most respectable body of householders. It might be said that this was a step towards Parliamentary reform. He unquestionably thought that those who were friendly to a Parliamentary reform in England were bound to favour reform in Scotland. If the state of representation were in England such as it is in Scotland, he should like to see the man who would stand up and say that reform ought not to take place. Ought not the people of Scotland to be represented by those who were known to them, who resided among them, and whose interests were identified with theirs? Was it not too much to tell them that 45 members were to come to Parliament to support the measures of government, but that those whom they were supposed to represent were to have nothing to do with choosing them? All he now desired was not to make any alarming innovation on the constitution. What he claimed was, that Edinburgh, which was already nominally represented, should henceforth be really so.

Mr Stuart Wortley, notwithstanding his high respect for the honourable mover, did not conceive that any case had been made out which could justify Parliamentary interference. No proof had been given that the power lodged in the hands of the corporation had been abused, or that any evil consequences had resulted from the manner in which it had been exercised.—Ever since Edinburgh was Edinburgh, ever since the right of voting in corporate towns and boroughs was established, the same practice had existed,—that right had been stipulated for, and secured to the people of Scotland by the articles of Union, and no

grounds had been laid which, in his judgment, made a change necessary. If that of which the honourable and learned gentleman complained were wrong, why did he stop short at Edinburgh? If it were a hardship that the right in question should be confined to the keeping of 33 persons in the city of Edinburgh, why did he not go a little farther with his reform and include Glasgow, which returned but one-fourth of a member to Parliament, under similar circumstances? Why did he not extend his measure to other corporate bodies, even in England? Why did he not complain of the system acted upon in the city of London, where a corporate body called “the Livery,” exercised the right of returning members to Parliament, to the exclusion of all the rest of their fellow-citizens? Why did he not propose to correct the practice established at Liverpool, where its members were returned by a body of 3,000 freemen, many of whom were not resident there? and why did he not undertake to reform a similar grievance in Dublin? He agreed in all that had been said as to the respectability and importance of the inhabitants of that city, but he contended, that no stranger could go there without being struck with the signs of sound government which it exhibited. As a Scotchman, as one descended from Scotch parents, he was proud of it. He considered it quite a sight for a stranger to see, and for his own part was astonished at the improvement which he witnessed, and which had been effected by that very corporation which had been made the subject of complaint and censure. The corporation-laws of Scotland had been secured by the treaty of Union, and her right to them had been strongly defended by the Duke of Argyle, Lord Hardwicke, and other eminent men. The 33 persons to whom the right of returning members to Parliament had been given,

ought not now to be disturbed in that right, which was as clearly theirs as the right of the honourable and learned gentleman to anything he possessed was his. He was also against the motion as a commencement of reform in Parliament. He, for one, thought the House of Commons, such as it was, sufficient for the government of the country. This was one of the greatest nations in the world. That House had carried it through good and through evil, through war and through peace, till at length the gentlemen opposite admitted that it was in a more prosperous situation than any other country.

Lord Binning also conceived, that the noble Lord and others who failed in their attempts at reform in a wholesale way, now sought to accomplish this object by proceeding piece-meal, well knowing, that if they succeeded in one case, it would be an argument for conceding all the rest. He was convinced that nothing would be so bad for Scotland as to interfere with the constitution of England. This would be done if the present motion were carried, as it would lead to consequences which would go to subvert the whole representation of the British empire. If he thought the representation of Scotland as bad as it had been said to be, which he did not, still he could not consent to change it at such risk. He did not mean to say, if a constitution were now to be granted, that it would enter into his head to give the constitution of Scotland to any country as a model of theoretical perfection. Were Scotland to be wholly separated, from England, that case would be as different from the present as light was from dark, and then he would admit that important changes might be necessary. It was said that great care had been taken that the petitions presented on this subject should be signed by none whose houses were

not rated at 5*l*. It was most extraordinary that these popular leaders, these Whig patriots, should act thus, should place a man at the door where the petition lay for signature, to ask of those who came, "Is your house rated at 5*l*," and when the answer given was, "No, only at 4*l* 10*s*;" then to tell the party, "If that is the case, you may not petition!" After the efforts made to get the petition universally signed, he was surprised that not more than from 6000 to 7000 names had been gained out of 21,000. \* Many of these had, no doubt, signed twice; some had done it through wantonness; so that the House ought not to consider one-third of the householders to have petitioned; but if one-third of them had done so, that was no reason why the House should give way in a case like this. The House had not attended to petitions in England, some complaining that they were not represented, and others bewailing that they were so represented that they were worse off than if they had not been represented at all. Edinburgh had its member, but where were the members for Leeds, Manchester, Birmingham, and Sheffield?

In opposition to these views, Lord J. Russell was of opinion, that to maintain that the people of Scotland had stipulated at the time of the Union, that 19 persons should have the right of returning a member to Parliament, without the concurrence and in despite of the 21,000 householders in Edinburgh, as their representative, was such an absurdity, that no man could believe them to have been capable of such conduct.

Mr Kennedy referred to the articles of Union to prove, that by those articles it was provided that the town of Edinburgh should be represented, without any mention being made of the corporation. He contended that there was no necessity to prove mal-

versation on the part of the members of the corporation to warrant a change in the system. It was enough to shew that the city of Edinburgh was so altered in its circumstances, as every one knew it to be, since the birth of its present institutions.—Mr Abercromby finally congratulated himself, that in the course of the debate no one had had the hardihood to defend the system of Scotch representation. After what had passed that night, the people of Scotland would see what their condition was, when even in that House no one was to be found who would justify the system under which they lived. He ved in times when

things were called by their right names, and it was impossible to make it otherwise unless they could take away from the people the power of reading, and writing, and talking. Therefore, they would send out to the people of Edinburgh that night that it was the opinion of the House that they were here represented by 19 respected persons. This would sink deep into their minds, and be the cause of their coming back upon the House until they were ultimately successful in acquiring their just rights.

The motion was negatived only by the majority of 24, (99 to 75.)

## CHAP. VI.

## IRELAND.

*State of Ireland.—Lord Darnley's Motion.—Lord Althorp's Motion.—Committee of Inquiry appointed.—Renewal of the Insurrection Act.—Mr Hume's Motion relative to the Irish Church Establishment.—Effects of Tithe Composition Act.—Petition of the Catholics relative to Education.—Motion of Sir John Newport, and Committee appointed.—Mr Plunkett's Motion respecting Catholic Funeral Rites.—State of Ireland throughout the Year.—Catholic Association.*

IRELAND presented, as much as ever, an object of serious and painful contemplation; one on which it was impossible that Parliament should cease to direct its most intent and anxious regard. The disorganized counties were still kept from breaking out into open violence, only by the severe operation of the insurrection act; factions in the capital and the great cities, raged with equal fury, and the remedies set in motion to mitigate the evils under which the country laboured, acted only slowly and imperceptibly. Although, however, Ireland could not but be a prominent object of discussion, its aspect was so very unchanged, and it had been so repeatedly surveyed, that it became extremely difficult either to say or do anything more on the subject. The general Catholic question, which had sunk last session in so remarkable a manner, was not

revived during the present, which was spent chiefly in inquiries into the causes and nature of those evils which appeared to have taken such deep root, and had bid defiance to all the measures hitherto employed with a view to their mitigation or removal.

Lord Darnley, on the 8th April, brought all the questions connected with the state of Ireland into full and formal discussion. It was a remarkable spectacle, his lordship observed, to see this great country flourishing more than any other part of Europe, her manufactures in full activity, her agriculture reviving, her commerce embracing the world, her remotest dependencies sharing in her prosperity, the attention of her Parliament directed to improving the condition of slaves, and, at the same time, to behold her nearest and most important possession in a state of wretchedness

and disorder. This hour of general prosperity to the rest of the empire, to which Ireland alone formed an exception, was the most advantageous time for taking an extended and statesman-like view of her condition. Before he entered upon the subject, he was anxious to guard against the possibility of being thought hostile to the present government of Ireland. His lordship expressed the most favourable opinion of the system of government adopted by the noble marquis now at the head of Irish affairs, and admitted that much had been done by the Irish government in collateral measures, particularly in regard to tithes. He suspected, however, that the renewal of the insurrection act would be necessary, and contended that party animosities were at this moment higher than ever in Ireland. He did not complain of the noble earl opposite, or of his colleagues; they had only trod in the steps of their predecessors. Let their lordships refresh their memories by reading the history of Ireland, and they would see that the state of that country for six hundred years, presented nothing but oppression on the one hand, and suffering on the other. From Henry II. to George IV., from Earl Strongbow to the Marquis of Wellesley, but one system had been pursued, that of disunion. His lordship then strongly urged the importance of granting complete emancipation to the Catholics. Certainly much had been done by the present government to ameliorate the condition of Ireland, but it was to be feared that the measures hitherto adopted had not produced the effect which was expected from them, and that party spirit had rendered them abortive. This was not a new case in Ireland. A person who held the office of secretary in that country three hundred years ago, after wondering that no course was taken to establish a better govern-

ment, had added, "but some say it is the fate and destiny of that land that no measure devised for the public good shall prosper." Nothing effectual could, he was convinced, be done for that country, unless the measure which he conceived to be the only foundation on which the peace of Ireland could rest, were adopted. He did not mean, however, to say, that Catholic emancipation would remove all the evils under which Ireland laboured, but it would lay the only basis for real pacification and improvement. The noble earl then took a view of the state of the church in Ireland, and of the disproportion which existed between its revenues and the duties it had to perform. He wished it to be clearly understood, that nothing which he said applied directly or indirectly to the church of Great Britain, where the splendour of the hierarchy and establishment was only consistent with the greatness of the country and the splendour of the monarchy. But in Ireland, where the proportion of Protestants was so small, that it amounted to scarcely half a million out of seven millions, the hierarchy consisted of no less than four archbishops and eighteen bishops, who positively possessed more wealth than the English clergy. His lordship recommended a reduction of this establishment, and a provision out of the funds for the education of the Catholic poor, and for the support of their clergy. He then alluded to the commission appointed at the suggestion of the other House, for inquiring into the state of education in Ireland. Much would depend on the manner in which that commission would be formed. The subject of education had been more or less attended to at various times by the Irish government, but unfortunately, every system of education introduced into that country had proceeded on a false ground. In the year 1733, schools had been

established for the Catholics ; but the object being to make proselytes to the Protestant religion, the Catholics had set their faces against those institutions, which had thus produced more harm than good, by creating a spirit of opposition and of jealousy which it had been impossible since to eradicate. There was another kind of schools, the Diocesan Schools, established as early as the reign of Henry VIII., but they were few in number, and also deprived of the power of being useful by the idea still entertained by the Catholics, that it was meant, directly or indirectly, to make proselytes of their children. He was convinced that no beneficial effects would flow to any extent, from any system of education that would give cause to suspect that it might be intended as an instrument of proselytising, and he hoped and trusted that the commission would set out with the conviction that no system of education would prove effective, which did not steer clear of such a suspicion. His lordship then alluded to the circumstances which threw the peasantry of Ireland into a state of degradation ; the too great subdivision of property ; the almost exclusive use of potatoes, and the want of employment. He trusted that government would study to remove the latter evil, and so put a stop to the system too prevalent in Ireland, of allowing public works to be turned into private jobs. His lordship concluded by moving for a select committee to inquire into the result of the measures lately adopted in respect to Ireland, and into such other measures as might appear conducive to its happiness and welfare.

Lord Liverpool, before entering into the reasons which made him consider such a committee as inexpedient, wished to premise some general observations on the character of the Irish people. He had never visited Ireland, and was not, therefore, acquainted

with her localities ; but in his private capacity, and his public situation, he had come into contact with large masses of the Irish people. He had seen the leading part which they took in all the branches of industry of this great metropolis, and in every town in the country. He had constantly and minutely looked into their conduct as mechanics and labourers, and he was able to say, that, whatever it might be in their own country, out of it there was not any people in the world more industrious, more honest, more kindly disposed, and more alive to a sense of obligation for kindness shown towards them. Whether he looked to the army, to the navy, or to every branch of useful industry, he saw not a more valuable race of men than the Irish upon the face of the earth. With respect to the policy adopted in former times towards Ireland, he admitted it to have been a policy of tyranny and oppression ; and when tyranny and oppression were not exercised, he also admitted that the selfish and narrow principles which then disgraced our own statute-books, were applied to Ireland with an additional degree of intensity. Of late, however, he conceived that an opposite error had been committed, of extending to Ireland the privileges and institutions of Britain before she was ripe to receive them. He might appeal to the opinion of a noble baron who was no longer in the habit of attending the service of that House, " that there was no instance in the world of so many acts of beneficence for any country as for Ireland, during the late reign." Their lordships were not aware of the situation in which Ireland stood with respect to England. No country had ever done, from the beginning of the world, so much for a limb of its empire, as this country had done and sacrificed for Ireland. He should first look at the question of taxation. It

was well known that England, in consequence of the late contest, was taxed beyond the average of all Europe, nay, doubly taxed beyond any country in Europe. But whilst this was the case, Ireland had been so far relieved by England taking her debt upon herself, that she was the least taxed of any country in Europe, with the exception of Switzerland. It ought to be known that Great Britain was taxed five times as much as Ireland, and that Ireland was the only country in Europe which paid no direct taxes to the government. Excepting tithes, no direct impost was paid by the people in Ireland. Unfortunately for them, as he thought, they had no provision for the poor—poor's rates were unknown in Ireland. Ireland paid not one-fifth of the taxes which were borne by Great Britain, not half the amount of taxes paid in the Netherlands, and other countries; yet Ireland had the advantage of bringing her goods into the English market, on equal terms with the people of this country. He thought it must be admitted, that but a small portion of the evils complained of in Ireland were fairly to be charged on the government. The government and the legislature had not been unsuccessful in their efforts to promote education in Ireland. Persons of all classes admitted, as he was sure the noble marquis opposite would, that in this respect much improvement had been made, which may still be going on. A society had been formed in 1817, for the purpose of educating the Irish poor, without regarding the differences of religion. The society had, in the following year, eight schools: in 1819, 133; in 1822, 241; and in the last year 1822. To shew the progressive increase of the applications for schools, he would state what they had been in the last year. The applications received in the first quarter were 63;

in the second, 73; in the third, 117; and in the fourth, 142, the total number within the year being 395. Considerable distrust of the object had been manifested at first, but this began to subside, and the applications were last year as numerous from Munster as they had previously been from Ulster. He described the care with which all religious distinctions were avoided in these schools, and stated nearly half the masters of them to be Roman Catholics. The good effects of these measures could not be immediately witnessed, as produced by the touch of a magic wand, but he had the satisfaction to know that the most encouraging results were already reported. The subdivision of lands, and the mode of collecting the tithes, were no doubt evils, though it must be recollected that the latter would fall to be paid one way or other, under any system. His lordship lamented the absentee system, and the want of attention paid by the proprietors to national improvement. If the evils complained of grew out of the tithe system, or out of the want of education among the lower classes, let specific measures be introduced to remedy the evil, but he objected to a general motion like that now before the House. Ireland was frequently compared with Scotland, but Ireland was different from any other country that ever existed. In Ireland was seen a Protestant government, with part of the population Protestant, and part Catholics. The great mass of the property, landed and commercial, was Protestant; the great mass of the population certainly Catholic. Now if the religious disabilities which some described to be the cause of all the evils which afflicted Ireland were removed, as they consisted only in exclusion from certain offices, the number of individuals to whom such a measure would bring relief must be very small indeed.

The Marquis of Lansdowne refused to give credit to this government for its boasted generosity towards Ireland. He must remind the noble earl of some of the circumstances connected with this display of generosity. He would show that that generosity might be fairly named expediency—expediency founded on an enlarged view of the situation of both countries. If Ireland produced much corn and England but little, was it a favour to allow her corn to be consumed in England on condition that she took our manufactures for the consumption of Ireland? When they were told of the difference between taxation in England and taxation in Ireland, the reason was obvious; it was because the former was the richest, the latter the poorest country in Europe. From various circumstances, he was sorry to say that Ireland had not through many years enjoyed the advantages intended for her in the full and fair administration of justice. He, however, acknowledged that the greatest efforts had been made by his Majesty's government, and especially by that part of it which was more immediately connected with Ireland, to accomplish that most desirable object. He eulogised the efforts of Chief-Justice Bushe and other distinguished characters to effect this, but lamented the mischiefs which had arisen from the unfortunate selection of inferior agents. He imputed no indisposition to the government to appoint proper persons, but admitted the difficulty of making a right choice. The persons who had been selected to be the agents of the police had been proved guilty of creating those very disturbances which it was their duty to put down. The noble marquis quoted various instances to prove, that even where the greatest care had been taken to insure justice to the Catholic, he himself could not be persuaded that he would really

enjoy it. He wished for that course to be taken which would tend to annihilate the distinction which at present unhappily prevailed; and as the noble lord opposite had lately exerted himself to insure harmony among Irishmen after death, he wished to see as much done to promote harmony among Irishmen while they were yet alive. Ministers ought to be especially careful that no religious differences should be encouraged in the schools now establishing, or to be established under their auspices.

Lord Limerick admitted Ireland to have been cruelly oppressed from the time of Henry II. to that of Geo. III. Since the accession of the last-named monarch, a series of benefits had been conferred on Ireland, and though evils might remain to be remedied, he saw no occasion for the general inquiry now called for.—Lord Roden considered that Ireland was the dupe of designing demagogues. He drew a favourable picture of the exertions made to instruct the Irish. The Sunday School Society had now established 1640 schools, in which there were 12,373 gratuitous teachers, who had weekly to perform the pleasing task of teaching 157,184 children. But it was not the Sunday School Society alone which thus exerted itself in the cause of education. The London Hibernian Society instructed 90,000 children daily, of whom 65,000 were Roman Catholics; the Kildare-street Society educated 70,000 children, of whom 45,000 were Roman Catholics; the Chapel-street Society educated 19,216, of whom 9246 were Roman Catholics. The Anabaptists Society educated 9000 children, of whom 7500 were Roman Catholics. The Irish Society educated 3900 children, of whom 3000 were Roman Catholics. The sum total was, these schools educated 349,306 Irish children, of which number 164,746 were Roman Catholics.



The motion was supported by the Marquis of Devonshire, Lord Clifden, and the Earl of Carnarvon. It was negatived, however, by 57 to 17.

A more important practical result attended the motion, which, after repeated notice, Lord Althorp, on the 11th May, brought forward in the House of Commons. His lordship observed, that the difficulties in the situation of Ireland were the result of a long course of events. Ever since we had obtained a footing in that country, we had treated it, he was sorry to say, like a conquered country. That great evil had been aggravated by the difference of religion between the conquerors and the conquered. The consequence of such a state of things was, distrust, violent party spirit, and a general hatred of the laws which were tainted by the vice of partiality in their administration. Thus were produced the difficulties which presented themselves, in an almost insurmountable form, in the situation of Ireland. Nor were those the less formidable, in as much as they were evils which required to be approached with care; for it was obviously impossible to suppose that the growth of centuries could be removed by any sudden, violent, or undigested process—Taking these points into consideration, he had come to the conclusion, that a general inquiry into the subject was the mode best calculated for attaining eventual good. If the general nature of the inquiry were objected to, no mode would remain but to pursue the same end by the appointment of separate committees. This he did not think advisable, inasmuch as the single report of a committee of that House, appointed for that purpose, would carry infinitely more weight with it than if divided into several reports upon distinct topics, as would then be the case. He was persuaded that a report of that House, showing the true interests of the peo-

ple of Ireland, and, if necessary, shaming the two parties into a more conciliatory course, would carry great weight with it. The same objection which he had stated to separate committees would apply to the fashionable mode of dealing with these questions, viz. by a commission. It was true, that a commission could move its investigation to the spot, but they could not properly report any remedy not within the scope of legislative interference, and what weight would any recommendation of theirs have, compared with the suggestions of a committee of that House? A notice had been given of a partial inquiry, with a view, he believed, to the renewal of the insurrection act. But if Ireland were in a state to require the application of the insurrection act, no man could say that it was not in the greatest danger. Indeed, a view of such a state as Ireland was in, was enough to make any one bid farewell to the prosperity of England, and the independence of the country. It was impossible to look at it without shuddering; and he would not believe, that gentlemen in that House would not come forward in such a case of emergency and interest, on account of the labour it would entail upon them. For what did they sit there—for what did they offer their services to their constituents, if they could not find time for the important business of the state? The noble lord then went over some of the measures which it appeared to him probable that the committee would recommend. He particularly urged Catholic emancipation, and called upon the Right Hon. Secretary to employ his great talents, and high situation, in giving an effective support to this grand measure of national policy.

Mr Goulburn, Secretary for Ireland, met the motion of Lord Althorp, by declaring, that he was opposed to no inquiry into the state of Ireland which

could be advantageously conducted, and brought to a useful result. He considered the motion of the noble lord embraced too many objects;—the former state of parties, the old and present system of tithes, the situation of landlord and tenant, and, as if these were not enough, the concessions claimed by the Roman Catholics, to which all the evils which afflicted Ireland were attributed. This last question, he was surprised to find the noble lord would refer to a select committee. If that were the fittest course to pursue, why had it been discussed in the House year after year? He proposed, therefore, to postpone the consideration of some of these matters till after that of which he himself had given notice, and of which the object was to inquire into the disturbed state of Cork, Limerick, Tipperary, Clare, and other counties. He finally moved an amendment, which would substitute for the inquiry which the noble lord had proposed, one which he thought would secure every benefit that could be hoped from carrying the motion. He moved to omit all the words of the original motion, after the word "examine," for the purpose of adding those words, "into the nature and extent of the disturbances in certain districts not subjected to the operation of the Insurrection Act."

Lord Milton conceived it much more eligible to institute a general inquiry, than that partial one which the last speaker had recommended. No proper mode of governing had yet been adopted in Ireland. It had been the policy of the English ministers to govern 4-5ths of the people of Ireland by means of the remaining fifth. The arts of corruption were not unknown there, and he who could not get forward in England commonly received preferment in Ireland. This was the way in which Ireland had been governed. He did not say that it was so now, but the

traces of past misgovernment still remained. They could only be effaced by a long course of good government, and this could never be accomplished by the interference of Orangemen or Ribbonmen. He noticed the oppressive laws to which Ireland had been subjected. Some of which, and among them one which made it death to marry a Roman Catholic and a Protestant, remained at present unrepealed, but by implication and usage. To effect a general improvement in the state of Ireland, it was desirable by enlightening the people to diminish the influence of their priests.—Mr North, on the contrary, conceived the evils of Ireland to arise from rooted and inevitable circumstances. When the arts of civilization had not been tried to make peace and industry go hand in hand and assist each other, it was natural that a people so energetic, with whom employment was a want, a natural appetite equally powerful with the desire of food, should become restless and turbulent. But there was another cause which should not be overlooked; which was the powerful influence of habit. The habit of resistance to the government was one which was transmitted from generation to generation; it was an example which they inherited from their fathers. The first cause of this disordered state of Ireland, was its imperfect conquest. From the time of Henry II. to the reign of Elizabeth, there was a continual struggle. The country was repeatedly overrun, but never subdued; and the conquest which was begun by Strongbow, was left unfinished by Essex. To remedy the insufficiency of employment, he recommended colonization on a large scale. There would be found in every country certain natural depositories of power and influence among the people, who ought to be gained over to the support of the government. One of the most powerful of these in Ireland were the

Catholic priesthood, who ought by all means to be enlisted in the cause of improving the condition of the people, by raising them and placing them in a situation of competence and respectability. There had also grown up within a few years past a considerable body among the laity, whose talents, station, and character had acquired for them a powerful influence over their fellow Catholics; but the influence of these had been much checked by the system of doubt and distrust which had grown up out of that party spirit, that like a moral malaria spread its baleful influence over the whole country. No man more ardently desired than he did the extinction of all party-spirit in Ireland; but he must say that the course recommended by gentlemen on the other side of the House for arriving at that object appeared to him the most mischievously calculated for inflaming and perpetuating it. The most likely method, as it appeared to him, of neutralizing the spirit of party, was a steady and determined perseverance in that system of impartiality and disregard of personal considerations and opinions which characterised the present government of Ireland, and led him to regard it as the best calculated for promoting the interests of the country that it had as yet enjoyed. He thought the noble lord would be greatly deceived, if he anticipated any practical result from the success of his motion. The extent, variety, and nature of the subjects which would present themselves for inquiry, would serve only to distract and perplex the committee. The description of persons they would have to examine as witnesses, the nature of the evidence that would be placed before them embracing every opposite extreme of opinion, would furnish them with nothing but what they had already heard and read in speeches and pamphlets, until they

had been surfeited with its repetition. If any modification or change were to be made in the institutions of that country, he trusted that it would come from the country gentlemen of Ireland themselves, and he strongly deprecated any attempt at such change from any other quarter. Let the gentlemen of Ireland set themselves in earnest to this work, and let them begin the reform of the abuses of their country's institutions by reforming themselves.—Let them reform their country on the ruins of factions.—If they did that—if they rooted out their own prejudices, the English people would forego theirs; and he saw every prospect that Ireland would at length attain that pitch of fortune and prosperity which it was the wish of every gentleman of that country that it should attain.

Sir F. Burdett considered the speech of the hon. and learned gentleman a most able and eloquent picture of the state of Ireland, but the hon. gentleman would allow him to say, it was not less inconsistent than eloquent. It was a speech no one could answer, because it was a complete answer to itself. Describing as he did the calamities of Ireland, the hon. and learned gentleman had terminated his harangue by saying he would not support the motion for inquiry. The situation of the people of Ireland was said to be such, that they had nothing to fear or hope, yet they were to have no redress, because the evil was above control. A panegyric was then bestowed on the people, whose privations had stimulated them to exertions. People who thus conducted themselves were surely entitled to inquiry with a view of redressing their grievances. It was surely proper that Parliament should know what could be done for Ireland; and if this was not the proper time for inquiry, he did not know when that time could arrive. This appeared to him also the time for

affording redress to the Catholics, a question of high importance, and which must be settled at last.

As Sir Francis taunted Ministers upon the silence observed by them relative to this great question, Mr Peel observed, that had not the hon. baronet, whom he always heard with pleasure, been so frequently absent from the House, he might have heard the subject discussed over and over again, and the opinions of his Majesty's ministers given upon it *usque ad nauseam*. Mr Peel then vindicated the speech of Mr North, and contended that the question was merely whether the inquiry should embrace a large field, or should confine itself to a specific object and remedy. The field could not be said to be very narrow, when it was to extend to all Munster, and some of the counties beyond it.

Mr Canning now rose, chiefly to meet the reproachful appeal made by Lord Milton, respecting the course held by him upon the Catholic question. He had always proclaimed in the most unreserved manner his sentiments upon that subject, but had never made concurrence in it the *sine qua non* of his joining with any ministry. Ever since the question existed, the members of administration had been divided upon it. I believe with the noble lord, (I wish as much as he can for its support,) that it will ultimately make its way, notwithstanding all the opposition it meets with; but I am bound to say, that there is a strong feeling against it in this country; and I am persuaded that it never can be carried consistent with the peace of the country until more favourable opinions exist than do at present. I believe that argument, and reasoning, and feeling, and a better understanding of the question, will prevail in throwing down the obstacles which now obtrude themselves; but I do believe that there is that disposition to

carry which will in the end succeed. I agree with him to this extent of the question, that it will always mix itself up with other questions concerning the grievances of Ireland, and that these will not be wholly relieved until this great end be consummated; but I differ from him, if he supposes that it would be furthered by the union of government upon it. It must make its way by reason, by argument, and feeling; and I am persuaded that if any other course be adopted, it will be fatal to the cause.

Mr Tierney, however, insisted, that if the Right Hon. Secretary had made the measure a condition of his coming into the ministry, it would have been carried. It was not through any personal affection entertained towards him that he had come there; and he firmly believed, that in the eyes of one member of the cabinet, there was little to chuse between him and the Pope.

Mr Goulburn's amendment was carried against the original motion by a majority of 48, (184 to 136).

This proceeding, as had been foreseen, was quickly followed by a bill for continuance of the Insurrection Act, the second reading of which took place on the 14th June. The passing was felt by all parties as a matter of course; yet it failed not to give rise to considerable warmth of debate.

Mr Robertson took a review of the sufferings to which Ireland had been subjected, and quoted the remark made by Lord Clare, at the time of the Union—that 11,700,000 acres of Irish land had been confiscated, while the surface of the country presented but 11,045,000, so that a great portion of it must have been confiscated more than once. He shewed that the differences which existed were not merely between Protestants and Catholics, but between English and Irish; and considered the system heretofore acted

upon to be one which was well calculated to shake the empire to its very foundation.—He strongly insisted on the importance of obtaining more accurate intelligence on the state of Ireland than the House at present possessed. It was only by granting a perfect equality of political rights that the turbulent spirit which now prevailed in Ireland could be extinguished. The measure which had been proposed for Catholic emancipation would not alone bring peace to Ireland. The smaller the difference which remained between the parties, while any distinction continued, would be a source of eternal hate. Those were, in his opinion, wrong who had given up one iota to Ireland, without being prepared to go on and yield every thing. He moved therefore the usual extinguishing process of a delay of the reading till this day six months.

Mr John Smith and Lord John Russell seconded the motion, lamenting the oppressive operation of this act, and the hardship to which many innocent persons were subjected by it.

Mr Abercromby said, that when he looked to the report upon the necessity of this most odious and oppressive law, he indeed saw the most strongly expressed opinion of its necessity from persons for whom he had the highest respect as magistrates. But when he was called upon to suspend the liberties of so large a body of people, and saw the reasons upon which those opinions were founded, and that they contradicted the inference, he felt it his duty to pause before he voted for its adoption. What was the result of their evidence as to the eventual effect of the law? They stated that it left the people with the same if not a greater disposition to disturbance. In fact, it only went to suppress the evil by force for the moment, and left its causes unnoticed or aggravated.—Many persons were committed by magistrates, and often

set at liberty after six weeks imprisonment, without any charge being pursued against them. The consequence was, that these people all became disaffected to the government, and then this act was again called for, because they did not love and venerate the laws. In the county of Cork there were above 400 committals under the act, and only 74 were afterwards brought to trial. By the evidence of Mr Sergeant Lloyd, it appeared that the greater number of these people were people bearing good characters in their own neighbourhood, and being entirely ignorant upon the nature of the law which they had broken.

Even from the opposition side, however, Colonel Davies observed, that he now saw an inquiry going on, which he was confident would lead to the most beneficial results, and could therefore place that confidence in the government which he could not repose in them formerly. Under present circumstances he thought the peace of Ireland could not be preserved without the Insurrection Act. At the same time he felt that the system hitherto acted upon with respect to Ireland, was bad—was most pernicious—and ought to be changed.

Mr Spring Rice had last year stated himself ready to continue this extraordinary power, if an inquiry into the general state of Ireland should be allowed. This was now the case—such an inquiry was now going on—and he therefore felt himself bound to redeem his pledge. The members of the government, so far from throwing impediments in the way of their inquiry, had thrown open every avenue for a full and fair investigation. He expected the greatest advantage to Ireland from the labours of the Committee, but most of all from the evidence which would be produced relative to the Catholic question. That evidence he was sure would more contribute to ad-

vance the question in the public mind than all the arguments and declamations which had been heard in that House.

Mr Goulburn and Mr Peel admitted the irregular and unconstitutional character of the act, and deeply lamented the necessity of proposing it. This necessity, however, was conceived to be imperious. They were told, Mr Goulburn said, that the presence of a resident gentry was necessary to tranquillize Ireland. He then read a part of the evidence given before the committee, from which it appeared that in some parts of Tipperary the gentry were obliged to remain in doors after dark, to have all the doors and windows barricadoed. Many of the rooms were kept dark during the day, the barricadoes necessary for the windows being too heavy to be removed. Sometimes the family had but one sitting room, and even of that all the windows were not open. To a question put, as to whether the windows were barricadoed in another part of Tipperary, the answer given was, "Not now. They were when I first went there, but the Insurrection Act is now in force, and they are no longer closed." What, added Mr Peel, was the state of the gentleman of property to that of the poor and industrious peasant who was well disposed.—The gentleman had his house secure, while the peasant, who lived in a thatched cabin, never went to bed without the fear of having it burnt over his head unless he joined the criminal perpetrators of murder. From Mr Bennet's evidence it appeared, that many poor people were compelled to join the disturbers by the fear of these nightly burnings. When he heard so much of horror expressed at the Insurrection Act, and pity for those who were the victims of it, he could not help claiming a little of that pity for the poor unfortunate man who was in the situation he had described. In the two years previous

to the application of the Insurrection Act, fourteen murders were committed in one barony, the perpetrators of which were never brought to justice. The Insurrection Act was a bad thing, but murder and burnings were worse.

Mr Denman spoke against, and Mr Fitzgerald for the bill, which was carried by the large majority of 112 to 23.

The state of the Irish Church establishment was one which naturally afforded considerable ground for animadversion. On the 6th May, Mr Hume brought forward a motion for a full inquiry into its income, the number of persons employed, and the manner in which the duties were performed. He was satisfied that that establishment had long exercised a more fatal and extensive influence on the condition of that country than most persons were aware of. No country on earth was in so lamentable a condition as Ireland. The root of the evil, he believed, consisted alone in the intolerance which prevailed in religious matters, in the church establishment, in the amount of its revenues, and the manner in which they were collected. The honourable member having dilated on the numerous evils which sprung out of the present system, put it to the House why, in these times, when we were returning to sound principles in commerce, we should not also return to sound principles of legislation, give to Ireland tranquillity and security, and allow her to share in those commercial advantages which we were diffusing through all quarters of the globe. The increase which had taken place in the population of Ireland, and which had been as four Catholics to one Protestant, was a proof that to pursue the present system was a war against nature. The Protestant establishment, protected as it was by all the advantages of wealth and power, appeared by the last returns to consist of 1289 benefices. The numbers

appeared to be four archbishops, and 18 bishops, 33 deans, 108 dignitaries, 178 prebends, 52 vicars choral, 107 rural deans, 512 minor canons, &c. Here was a staff for so small an army. The population of Ireland consisted of seven millions, one million of whom was Protestant, half that number being dissenters, and the other six millions Catholic. In many cases there was not a single Protestant family in a benefice. According to the best calculation which could be made, the value of church property in Ireland, was estimated at 3,200,000*l*. He now begged to direct the attention of the House to the situation of the Catholic church. There were 26 Catholic bishops in Ireland who were resident, performed their duties punctually, and received severally an income of, he believed, from between 300*l*. and 700*l*. The number of Catholic priests was upwards of 2500. When it was seen that there were no less than 1500 Protestant clergymen to attend to 500,000 Protestants, the number of Catholic clergymen could not be considered too large, when it was recollected that they had to administer religious instruction to a population of 6,000,000. He would here proceed to another part of the subject. Much had been said in that House respecting the manner in which the numerous and well-paid Protestant clergymen in Ireland performed their duties. The result of all the inquiries which he had made, was a conviction that they were very deficient in the performance of their duties. According to a return on the table of the House, it appeared that the number of parishes in Ireland having benefices was 2224. Of these 1391 were in the gift of the bishops. In the gift of the crown, the number was 293; making the total number of benefices in the gift of the crown and the bishops, 1684. In lay hands there were 367 benefices; and the universities possessed 21.

There were also 95 inappropriate and vacant, and without churches or incumbents. The return did not state how the remaining benefices, 77 in number, were disposed of. In 1818, the total number of incumbents was 1289. Out of this number, 758 were resident, and 531 were non-resident. The non-residents, therefore, formed a considerable portion of the whole number of incumbents. The honourable member severely censured the conduct of the Irish government respecting the valuation of the first fruits, by which the poorer clergy had been deprived of their pittance. He contended that the property of the church was not sacred and irrecoverable, and he concluded with moving the following resolution—"Resolved, That it is expedient to inquire whether the present church establishment of Ireland be not more than commensurate to the services to be performed, both as regards the number of persons employed, and the incomes they receive."

Mr Stanley in a maiden speech opposed the motion. It was but too well known that within the last few years attempts had been made by the press, and through the more dangerous channels of private insinuation, to cast odium on the established church, by maliciously aspersing the character of its clergy. He would assert that had one half the zeal which had been exerted against the church, been used to bring forth the high character, the many virtues, and amiable qualities, the unostentatious discharge of their sacred duties of the great body of its members, that church would have stood above the reach of all that malice and calumny could invent. He then contended, that the greatest exaggerations had been put forth of the revenues of the Irish church. The income of eleven of the Irish bishops was under 5000*l*. a-year; and of four others only 6000*l*. The average of livings was

only 250*l.* a-year. Mr Hume had stated as pluralities, parishes that had been united ; as absentees, clergymen who held these and did not live in both. The income of the Catholic bishops had also been much underrated, since even their priests possessed 300*l.*, 500*l.*, and even 800*l.* a-year. Ireland laboured under four principal wants—the want of a resident gentry, the want of capital, the want of employment, and of adequate education—not one of which could be relieved by the proposed inquiry. He admitted that Ireland had suffered from that species of corruption in her institutions which was in a degree more or less inseparable from human frailty ; and he knew that the prelates of the established church were anxious to have a fair and full inquiry made into the nature of their system ; but however desirable it might be to have a commission for such a purpose, he could never give his support to that species of inquiry which prejudged institutions before they were investigated, and which at once stamped with injustice an establishment, on the faith of exaggerated and unfounded mis-statements, before a syllable of evidence was offered to substantiate such severe allegations.

Mr Dawson spoke in the highest terms of the Irish Protestant clergy, and said, 'wherever the Protestant church was most strongly established in Ireland, there the greatest prosperity, and quiet, and good order prevailed.—Mr D. Browne said, that as long as the revenues of the established church in Ireland were to be continued in their present integrity, he had no hopes of the peace and prosperity of Ireland.—Mr Robertson thought there were but two modes by which it was possible to restore peace and tranquillity to Ireland ; and of either of them the basis must be, the union of Roman Catholics and Protestants themselves. One of these modes would be,

to admit the Roman Catholic clergy to a participation of tithes. The other might be found in the union of the Protestant and the Roman Catholic churches of the kingdom. There was no essential difference of faith.

Mr Hume replied, and the House then divided upon the motion, when there appeared—for Mr Hume's proposition, 79 ; against it, 152—Majority against the motion, 73.

Mr Plunkett and Mr Foster spoke against the motion, while Sir F. Burdett strenuously supported it.

Although this debate did not issue in any definite measure, it drew forth in the House of Peers some pretty warm strictures.

The Bishop of Limerick warmly vindicated the Irish church from the unjust charges brought against it in petitions forwarded to both Houses, which he considered as an abuse of the right of petition, committed, however, not by those who presented, but by those who sent them. He showed by a reference to the charge of the Archbishop of Cashel, and by several other documents, that instead of non-residence being common in Ireland, the number of resident clergymen was comparatively far greater than in England, and comprised nearly the totality of the Irish Clergy. He next adverted to those unjust and unconstitutional principles, that led men to attack the property of the church ; and maintained that if it was once violated, there would be no security for any other species of property. The statements made as to the value of bishoprics in Ireland, were also untrue. He could assure the House that there was not a bishopric in Munster that netted so much as 5000*l.* a-year. The bishop of Ossory did not for the last eleven years derive from his see more than 3500*l.* a-year. It had been recommended to make the bishop's lands in Ireland available to the expenses of the church ; but if such a thing were



done, it would not only be a robbery upon the property of the church, but upon the property of most of the landed proprietors in Ireland. In France the Revolutionists began with an attack on church property, and that was soon followed by the confiscation of lay property, and the destruction of the right of primogeniture. Therefore, what had been done in France ought to operate as a warning to the church reformers of this country. Statements had gone forth representing some single clergymen as possessing five or six livings, but the fact was, that the incomes of such livings taken together, did not amount to more than two or three hundred pounds a-year. In Ireland no persons could be admitted as clergymen without a most expensive education; they were first obliged to pass a long time at school, and then to pass four and a half years in the University of Dublin, a seminary of extensive learning, which had produced men of the first character in science and literature.

Lord King made a very sharp reply, declaring, that up to the present time he had considered the ecclesiastical establishment of Ireland more of a trade than a church: this was the opinion of Mr Burke, who had applied to it these words—*Non est magna Ecclesia, sed magnum latrocinium*. What was now wanted, was to make the church of Ireland conformable to the wants of the people. He should quote another opinion respecting this body. Dr Paley had called the church of Ireland a proud, haughty, domineering aristocracy of ecclesiastical wealth. The whole was a grinding system of oppression, particularly in the south of Ireland, where the tithe on potatoes was a despotism of modern date. It was a grinding church, a useless church, abounding with excessive wealth, and was the perpetual cause of disturbance and outrage.

Lord Liverpool at this late hour of

the night would only observe, that the church establishment was sanctioned by the treaty of Union. No vote took place.

Considerable inquiry was made this year relative to the operation of the act passed last session, for facilitating the commutation of tithes.

Mr Goulburn stated, that it had been carried into effect in a considerable proportion of cases. Out of 579 to whom the proposal had been made, 240 had gone into it, and the rest had merely postponed its consideration. The result had proved also, what he had always contended, that the Irish church revenue was by no means of that exorbitant amount which had often been represented. In Cashel, one of the richest parts of Ireland, the compositions had run from 1s. 2d. to 2s. 8d. per acre, and the average had not exceeded 2s. 1d. In that of Clonfort, the average had been only 6d. per English acre. The great impediment arose from the tenants of grass lands, who, by the present state of the laws, are exempted from tithe, and who therefore very naturally objected to paying a composition, instead of paying nothing. It was also an obstacle, that the clergy, though the present composition might be good, foresaw that at the end of three years, a considerable reduction must take place. Mr Goulburn now proposed some amendments, with a view to overcome these obstacles. No particular objections were made to them.

Mr Graham, however, declared, that he had never met with any person in Ireland who could understand the bill, and that every attempt which he had seen made to act upon its provisions, had speedily failed. Mr Hume also declared, that nothing could present a remedy to the evil, except the entire breaking up of the Irish church establishment.

In the House of Peers, the Marquis of Lansdowne took occasion to ex-

press his dissatisfaction with the results of the late act. He had stated to their lordships on a former occasion, that in presenting a *prima facie* appearance of inequality in the measure, they would prevent many from adopting it, and this turned out to be fact. Their lordships would recollect that under the bill of last session a power was given to increase the provision of the clergy to an amount beyond that of the last seven years. Now, he had not contended that the clergy ought not to have been entitled to receive more than they had received within that time, but he did contend that there might be peculiar cases in which they ought to receive less. He had always maintained that it was desirable there should be a perfect equality on both sides as to the operation of the act. It was for this reason that he wished to take away from the opponents of the measure, the plausible pretence of saying to the peasantry of Ireland—"Under this bill you may be called upon to pay to the clergy more than you now pay, but it is impossible you can be called upon to pay less." When such language was held out to them, they felt that it was not a fair transaction, and that the arrangement was unfavourable to them, but favourable to the clergy. Another objection he had to the bill of last year was, the clause which referred to the expence under the machinery of the commission. The whole weight of the expense fell on those who paid tithes, while the clergy stood exempt, and this led the gentry and farmers to believe that impartial justice was not done them.—Another objection he had to make was, as to the obscurity of the clause relating to composition. The noble earl (the Earl of Liverpool) must be aware that the whole arrangements with respect to the separation of the bill, had been under the direction of his Majesty's government, but

under a clause introduced by the other House of Parliament, the effect of which was, that the clergy and gentry might come to whatever agreement they thought proper, without being clogged with any of the other clauses of the tithe composition act. This arrangement, which had been finally adopted, was equally obscure and intricate. The effect of it was frequently to oblige unwilling parties to assent to alterations, which might be extremely prejudicial, for when once they had agreed to an arrangement in the first instance, they could not retract, though convinced of the loss they must suffer. Indeed a circumstance had occurred in a certain part of Ireland, which gave to this arrangement a name which it did not deserve from the intention of the legislature. It was called the "Trap clause."

Lord Liverpool, on the other hand, contended that the measure was in a very fair train of success. He had stated on a former occasion that every great change must be an imperfect measure in the first instance, and he would now repeat the assertion. All that could be done at first was to establish the principle of the measure—more could not reasonably be expected. It was with that view he had stated his opinion of the bill of last session. The supporters of the bill contended, that it would not be just as a compulsory measure, and they were fully borne out in maintaining that opinion. Their lordships would recollect, that the compulsory clause was the main point at issue between the supporters and opponents of the bill. In looking, in the first instance, at the probable success of the measure, he should have said, that if it succeeded in twenty—nay, fifty cases—he should consider it as likely to succeed on the whole with the improvements which experience would show to be necessary.—He could now say, upon the best authority, that the

measure had succeeded beyond the most sanguine expectations of those who had supported it. It had been carried into execution in more than one-tenth of the parishes of Ireland.—(The Marquis of Lansdowne here intimated his dissent.)—He maintained that it had been carried into execution in the proportion of 279 cases, and was now in active operation. Since the 3d of February, when the papers on the subject were laid on their lordships' table, 20 new applications had been made, and 35 new agreements concluded. The clergy very often agreed to receive less than their right, but more than their right they could not receive under the bill. He would ask their lordships whether, on looking at the whole course of the transaction, there was any reason to think that the tithe-payers were not fairly dealt with? He had been furnished with the agreements made in ten dioceses, some of which would shew how very far the measure was from being either oppressive or severe on the parties. In the diocese of Cashel, the composition was 1s. 3d. English per acre. In Clonfert, which was a pasture country, the whole was done for 6d. per acre. In Elphin it was 11d., and in Meath the same.

Mr Goulburn's amendment was finally carried through both Houses with little opposition.

The question of Irish education, and especially of Catholic education, deservedly occupied the attention of the House, as affording one of the chief quarters from which favourable hopes could be drawn, with regard to the situation and circumstances of that distracted part of the empire. The first proceeding in this question was of rather an inauspicious character. On the 9th March, Mr Grattan presented a petition from a number of the Roman Catholic bishops, admitting that large sums were appropri-

ated to this object, but complaining that extensive misapplications took place, and that the Kildare-street Society, in particular, was carried on entirely upon the principle of proselytism. The Catholics, they urged, ought to have a share in the management of these extensive funds; and they particularly objected to the system of reading the Bible in these schools without note or comment. Both Sir John Newport and Mr Abercromby, though advocates of the cause, expressed their regret at a complaint brought forward thus prematurely, and at a time when inquiries were going on, and when there was a general disposition favourably to consider their claims. Mr Goulburn appealed to the numerous applications for new schools which followed each other, as a proof that the body of the Catholics did not regard the provisions made for their instruction, with the same jealous aversion which was expressed by the reverend petitioners.

On the 25th March, Sir John Newport made a motion which he had for some time announced, having in view the general improvement of education in Ireland. In discussing this subject, he would abstain from everything likely to create an acrimonious feeling, and view the improprieties which had occurred, as the result of measures adopted with the best intentions. He stated this subject to have been taken up in 1787, and described the measures pursued in consequence of the determination then come to by the government and parliament of Ireland. An act had passed to give effect to the resolutions to which he had alluded, which was continued by two other acts of Parliament up to the year 1796, when the last of them was suffered to expire. In 1806 the subject was again taken up; commissioners were appointed, among whom was found that great

name for Ireland—the name of Mr Grattan. These reports were made by the commissioners at different periods, and came before that House in April, 1809. He then noticed the appointment of commissioners of education in 1812, read passages from some of their reports, and strongly supported their recommendation, that the people of Ireland should be educated under the same system, and under the same establishment, that all classes might avail themselves of the advantages of instruction. This could only be effected by avoiding all religious tenets, and even the appearance of seeking to make proselytes. It would appear, upon an examination of the royal schools, that they were in an imperfect state, very expensive, and having very few scholars. When the royal munificence had extended endowments, tuition ought to be moderate in its expense, and rendered easily available. There was a great objection in the body of the people to have gratuitous instruction for their children; and when such an honourable feeling existed among the people, it was still more the duty of the legislature to extend education upon the lowest possible charge. The right honourable baronet then read extracts from the fourteenth report, showing the anxious disposition of the people to give education to their children, and the opinions of individual gentlemen appended to that report, as to the proper regulations for general national schools. They recommended that no religious distinctions should be made, and that the children should be taught the four great points, of duty towards God, duty towards each other, duty towards their country, and duty towards the government. By the last returns it was seen, that at the endowed schools there were very few scholars. They found six in one, 13 in another, and nine in another. Now,

he considered that where the royal munificence had provided emoluments for the masters, the terms ought to be so moderate as to come within the common means of the great body of the people. He was afraid that a good deal of jealousy and distrust had been expressed in Ireland upon the subject of extending education. But it was only just for the House to make allowance, and remember that they were Protestants, and that they were legislating for a large majority of people holding different religious opinions. It was their duty to endeavour to abate the jealousy, and not to make it a ground for refusing the education. It appeared that education was making some progress, and that a great many schools had been established upon private foundations. As a mark of the benefit which these schools conferred upon society, he would mention that the Quakers always took the boys educated at them in preference to any others; for their good moral and orderly conduct. In Tuam there were 116 Roman Catholic schools, and in another diocese 159, containing together 21,000 scholars, who were taught reading, writing, and arithmetic, at the rate of 20s. per year each. He felt it was the duty of the legislature to undertake this subject, and he saw two modes in which it might be done. The one was by a committee of the House, the other by a commission to proceed to the spot, and to report their opinions to the House. A committee, he was aware, would better attract the public attention of this country to the subject, but a commission was preferred by those who were intrusted with the government of the country, and whose peculiar care it was to watch over its tranquillity and happiness. There was another ground upon which he made up his mind in favour of a commission; and that was the great advan-

tage which Ireland had derived from the labours of two other commissions, which were appointed to inquire into the courts of justice and the revenue of Ireland. Of the good which had been done by the latter, and of the readiness with which the government had carried its recommendations into effect, it was impossible that any man should say too much in praise. The right honourable baronet concluded by moving, "That an humble address be presented to his Majesty, praying that he will be graciously pleased to issue a commission under the great seal for inquiring into the nature and extent of the several institutions in Ireland established for the purposes of education, and how far they are either wholly or in part supported by the public funds; for inquiring into the state of the diocesan and district schools, and the nature of the instruction there given; for ascertaining what regulations will be fitting for the parochial schools, and to report such measures as can be adopted for extending the benefits of education to all parts of the people; and that his Majesty will be graciously pleased to order and direct the proceedings of such commission to be laid before Parliament."

This motion was met with the utmost cordiality on the part of government. Mr Goulburn gave his unqualified assent to it, and expressed the highest satisfaction with the judicious, temperate, and conciliatory speech, with which the honourable baronet had introduced it.—Mr J. Smith, however, while he expressed satisfaction at the concession now made, complained that government had never adopted any effective practical measure on this great subject. They could never expect the people of Ireland to change their habits, unless they taught them how to do better. To use a familiar comparison,

they had their dogs and their horses trained before they expected them to contribute to their pleasure or use; but man—man alone, was to be left a prey to his own natural vices and follies, and then came hanging or transportation for acts which they had not taught him to avoid. While people were kept in this state of darkness, and we neglected to educate them, he protested against the application of our bloody and ferocious laws. He confessed that he should have preferred the appointment of a committee before sending out a commission. A committee of that House, he thought, was always sure to get at the whole truth of any thing that came before them.—Mr Peel, who felt these reflections as personally levelled at him, undertook to prove, that he had been anxious to act up to the principles which he formerly expressed. The thirteen reports of the commissioners contained accounts of abuses existing in endowed schools, and the fourteenth recommended plans for a general system of education. With respect to the thirteen first reports, he brought in the act which prevented the recurrence of the abuses they exposed. After turning the other part of the subject in his mind with the greatest anxiety, he was afraid that the then state of public feeling would not permit that he should propose another act for the appointment of commissioners to regulate the education of Ireland. There was at that period so much distrust and jealousy abroad, that he felt, instead of advancing the cause of education, he should only be doing it disservice. To shew the extent of progress which education was making in Ireland, he mentioned, that a society composed of persons of different religious persuasions, established, in 1816, 320 schools. Their object was to have a system which would at the earliest period of

age unite the Protestant and Catholic, so that they might afterwards grow up in amity. He wished to see the instruction in such schools founded upon true Christian principles, but for religious doctrines to be left to the pastors of the different sects. In the society he had named, the number of schools grew in two or three years to 513; the next year it was 727, and last year the number increased to 1100. There were other institutions in the country which had likewise forwarded the interests of education. The best way, therefore, was to examine into their several merits, and adopt such plans as appeared most eligible. Let them inquire—let them appoint commissioners on whom they could rely, and then they should know how to act with safety and with satisfaction.—Mr Brownlow thought the only hope for Ireland was in a liberal and complete system of education. He should object to any plan which did not combine and unite the Protestant and Catholic in one establishment. Any attempt at having separate schools for the two classes, he should consider as a wretched and wicked system of perpetuating the feelings of animosity which every honest man desired to suppress. He would never consent to any specious plan of morality without religion. He wished it to be distinctly understood, that he desired no conversion or proselytism, and least of all the conversion of boys at school.—The motion was thus carried without any dissent.

Mr Plunkett, with a view to remedy the irritation occasioned by a late unfortunate occurrence, introduced a bill relative to the celebration of funeral rites in Ireland. It would be necessary for him to state, that in Ireland there were a number of sites of abbeys and convents appropriated to the religion of former times, and which were still held in respect. They

had been richly endowed, and were tenanted alternately by superstition and bigotry, and real piety and religion. These lands were now vested in the state. From the Reformation down to the Revolution, they had been used as places of burial for Catholics as well as Protestants; but at the Revolution, the performance of the burial service in those places by the members of either religion had been strictly forbidden. It might be difficult to account for this general prohibition; but it had probably its origin in an apprehension that these places revived the remembrance of the ancient religion. But whatever might be the cause of it, he believed that the House would agree with him that it was not proper to be enforced. This, indeed, was abundantly proved by the present practice, which was in disobedience of the prohibition. The rector, or parson, had full power over every Protestant church-yard, and could prevent any one from being interred in, or from entering it. By the act of uniformity, he was bound on occasion of those ceremonies to read the service appointed by the liturgy, and no other. Indeed he was bound to permit no other. If this were acted upon strictly, it would exclude a great body of the Irish people from the rights of interment. Under the present state of the law, it was the duty of the Protestant clergyman to perform the burial service in all cases: and after which service, the Catholic clergyman might, without violating any law, come upon the ground and perform his own. He asked the House, whether such a law, if acted upon, was not calculated to sow the seeds of discord among the community? There had been hitherto great forbearance on both sides, by means of which affairs had proceeded in an harmonious manner till within the last few years, when complaints had been

made, and there had arisen a disposition to enforce the strict letter of the law; yet its full enforcement would deprive a large majority of the people of Ireland of the privilege of interment in the tombs of their ancestors, a privilege, the desire of which was inseparable from human nature, which was common to the most barbarous as well as the most enlightened of mankind—a desire which proceeded from a source out of the reach of all reason or philosophy, and which proved to us, beyond all controversy, that there was a something which directed our hopes to look beyond the grave. When this part of the subject was first considered, it was thought that the establishment of separate burial places would be desirable, but this was abandoned on reflection, as likely to draw a line of demarcation between the Catholics and Protestants, and widen the breach which unhappily was already between them. He should propose, therefore, to declare the right of interment in the Protestant churchyard, but to provide against its being offensively exercised. The main part of the bill consisted in giving all dissenters the full benefit of interment in the Protestant church-yard, according to ceremonies of his own religious persuasion. This alone was a charter of toleration, for which the Catholics ought, and would be grateful. The Protestant clergyman would be enabled to grant the exercise of this right; but he would have the power to refuse in writing to the party applying for the interment, stating his reason for refusing, and forwarding a copy of that writing to his bishop, or his ordinary, who would be directed to forward it to the lord-lieutenant. He was not surprised that alarm was felt by the Protestant establishment at the first mention of the proposition he was making to the House. It was doing what had never yet been done,

viz. introducing rites and ceremonies within the pale of the Protestant church, which had hitherto been excluded, and which were, besides, the rites and ceremonies of another church. A great deal of the force of this objection, however, was done away by the consideration, that the abolition of the power in question was doing away with a privilege which had never been acted on. He was sure that the law would meet with no practical difficulties in Ireland, and that it would prove in its operation one farther proof of the wisdom and liberality of the lord-lieutenant, and present government of Ireland.

These observations of Mr Plunkett did not excite any animadversion, nor was any opposition made to the bill in its progress through the House.

Ireland, during the following summer, continued, throughout its central Catholic districts, to present the same distracted aspect as during the two preceding years. Towards the close of the year, however, there took place suddenly, and without any very obvious cause, a return of tranquillity; by which the lord-lieutenant was enabled, and did not delay, to take off from most of them the pressure of that severe instrument of order, the Insurrection Act. This return of internal peace was accompanied by, and probably in a great degree connected with, a renewed prosperity of all the branches of national industry, which Ireland now shared with the rest of the empire. It was succeeded, however, by other agitations of a different character, less disastrous, but which were yet quite sufficient to keep the administration and the public very much on the alert. That religious movement, which seems to be generally felt throughout Europe, had manifested itself in Ireland by an increased zeal for the peculiarities of the Catholic religion, and a disposition to support

them by means stamped rather with the character of the dark ages, than by those of the nineteenth century. This spirit coming into collision with that of a high Protestant mission, sent by the Bible Society through Ireland, with a view to the diffusion of the Scriptures in the vulgar tongue, gave rise to some scenes of rather an extraordinary nature. At the meetings held by the mission for the promotion of its own objects, the leading Catholics of the district made their appearance, and by all their powers of argument and oratory endeavoured to maintain the superiority of the Catholic doctrine. Their retainers seconded them, not only by loud applause, but in several instances by *coups de fait*; which induced, on the part of their antagonists, a rapid retreat, by whatever outlet the place afforded, and left the field of dispute in full possession of the Popish polemics. Yet it seems difficult to see how the withholding of the Bible from the laity, and the denouncing its perusal as unlawful and heretical, could tend, in an age like the present, to uphold the Catholic influence.

From out of this fermentation another phenomenon suddenly sprung. An Association was formed, composed of a number of eloquent and stirring individuals, which purported and appeared to represent the whole Catholic body. Its active and organised, as well as powerful character, was soon

displayed in the large sums which it levied under the appellation of Catholic rent, even from the poorest of this poor population, and which, enforced by those means of acting upon the popular mind which the Popish priest holds in his hand, could scarcely be considered otherwise than as a compulsory tax. It was collected weekly, and this periodical produce came to be estimated at a thousand pounds. The employment of these funds was no less critical than the mode of levy. One of these modes consisted in opening prosecutions against writers and journalists distinguished by zeal against Catholic interests, and who, in the difficult and expensive field of litigation, could not but wage an unequal conflict with a corporate body, possessing such a depth of resources and influence. The Association, by those powers which it possessed, and ostentatiously displayed, and by closely imitating the very forms of the British legislature, put itself forth to the world as a sort of Catholic Parliament. To the Irish administration it appeared not improbable that they might shortly come to officiate as such, and to govern Ireland, if they were allowed to proceed in their present career. The measures prompted by this view of the subject did not, however, come into operation till the following year, of whose events and discussions they were destined to form a prominent feature.



## CHAP. VII.

## WEST INDIES.

*Critical State of these Islands.—Strong interest felt respecting them.—Measures taken by Government to ameliorate the condition of the Slaves explained in the two Houses by Earl Bathurst and Mr Canning.—Debate in the Commons.—Public Feeling respecting Mr Smith's case.—Motion by Mr Brougham.—Long Debate.*

THE circumstances connected with the possessions of Britain in the West Indies presented a subject of serious and painful discussion. Her connexion with them, indeed, formed, on the whole, the most unsatisfactory light in which her present situation and prospects could be viewed. The degree of prosperity arising from them had been combined with a cruel and enormous evil, of which Britain had shared the disgrace with the other European states; but her renunciation of which, and exertions for its suppression, had been attended with great glory, and had marked a high moral feeling on the part of the people. The ill-fated Africans were no longer torn from their native land, to toil under the unfeeling lash of an European taskmaster; and the proprietors, deprived of this irregular mode of recruiting, were obliged to recur to the legitimate one of enabling the slaves, by care and good treatment, to keep up their own numbers. The zeal of our philanthropists, however, was not satisfied even with the considerable good thus effect-

ed. Nothing was considered as done till this wronged and degraded race were restored to their just place in the scale of humanity; till they were converted into citizens and Christians,—a difficult and perilous transition, which could not be made without some very delicate processes. It would have been supposing the West India proprietors exempt from the common frailty of our nature, to expect that their minds should be open to the excellence of a course of proceeding which trenched so materially upon the very basis on which their proprietary existence rested. Their exclamations were loud, that the British legislature were sacrificing to wild theoretical ideas one of the main sources of national prosperity; that their own essential rights and property were unjustly interfered with; and that some consideration ought at least to have been held of the severe pressure under which they themselves, from other causes, had for some time laboured. They assured the House of Commons, that the measures it was now taking would ere long

issue in an insurrection over all the islands, and a general massacre of the whites. The Assembly of Jamaica went so far as openly to dispute the right of the British legislature to dictate laws to them, and threatened a separation,—an impotent and imprudent ebullition, which, by making the slaves consider the power of the mother-country as arrayed on their side, must have tended, more than anything else, to encourage them in revolt. It must, however, so far be conceded to the West India proprietors, that though it be out of the question to renounce the arrangements by which the negroes may be ultimately qualified to act as citizens and freemen, this last issue ought for the present to be kept as much as possible in the background. All that should now be done is to improve their external, and, above all, their moral situation; to place nothing else in their view, and prevent *them* from viewing emancipation, even in distant prospect.

Among the means of improving the Africans, and rousing them into some sort of intellectual and moral existence, none perhaps was more promising than the preaching of missionaries, detached from those numerous societies, to which the ardent and benevolent zeal of the present age has given rise. If their creed was not always the most refined, it was only, perhaps, the better fitted for acting upon those wild and untaught natures. Their zeal, too, supposing it sometimes to pass the limits of discretion, was much better adapted for the same purpose than that of individuals who were merely accustomed to move round a regular and established circle of duties. At the same time, in the present critical state of these islands, such indiscretions might no longer present the same venial character as in other circumstances. If they tended to feed the natural discontent of the slaves against their masters, to inspire them with the wish and the hope of li-

berty, they might be productive of the most serious calamities. Whether such indiscretion had been committed in the case of Mr Smith, or whether he had fallen a victim to the jealous apprehensions of the masters, viewing with dread the diffusion of knowledge among the enslaved sons of Africa, had been the subject of eager controversy out of Parliament, and was destined to become one of the leading subjects of debate within its walls.

On the 16th March, Earl Bathurst in the Lords, and Mr Canning in the Commons, laid before the House the plans which Ministers had put in train with the view of ameliorating the condition of the negroes, and in the hope of gradually paving the way for their ultimate emancipation. These plans had been embodied, Lord Bathurst observed, in two circulars, addressed, in the course of last year, to the governors of the colonies. The first measure which they recommended was, that means should be taken to secure the due observance of the Sabbath. The second, that the whip should be abolished as an emblem of authority. The third, that the punishment of female flogging should also be abolished. The fourth, that the domestic punishment inflicted by owners and overseers upon males should be regulated. The fifth, that measures should be adopted to give encouragement and validity to the marriage contract. The sixth, that the sale of slaves should be subjected to regulations. The seventh, that the property of slaves should be protected, and their right of making bequests secured. The eighth, that facilities should be afforded to manumission. And the ninth, and last, that the evidence of slaves should be admitted under regulations and restrictions. If any of their lordships conceived, that, in making these proposals, his Majesty's ministers had gone too far, and, however right in theory, had recommended what was impracticable in prac-

tice, he had only to say, that eight out of these nine propositions had met not only with the entire concurrence, but with the warm approbation, of a large and respectable body of West India planters, acting in this country as a representative committee for the whole. And even as to the ninth, the admission of the evidence of slaves, under certain regulations, he had not met with any member of that committee who did not say that, though not prepared to come forward with a proposition on the subject, he admitted it to be one deserving the fullest consideration. These propositions were under the consideration of the colonial legislatures, whose sittings had not closed when the last advices had been received; but he should deceive their lordships if he held out any hope that the majority of the propositions, or even many of them, should be accepted. The colonies which appeared most inclined to accede to the recommendations submitted for their consideration, were Grenada, St Christopher, and Barbadoes; those where they met with the greatest opposition were St Vincent's, Tobago, Dominica, and Jamaica. In regard to the three last, and even to St Vincent's, the expectations of his Majesty's ministers were still rather sanguine. A considerable improvement had taken place in the treatment of slaves, particularly in that of females, and in the provision made for the rearing of children. We had no right to legislate for the colonies, and could only influence them by refusing drawbacks upon exports, and imposing duties upon their produce. An order in council had, however, been framed, and recently approved of by his Majesty. It embodied the spirit of the recommendations which had been made, and provided for carrying them into effect. It appointed, or rather revived, the office of guardian, or protector of slaves, to whom, and to the commandants under whom, the execution of the

provisions of the order was intrusted. By the first provision, for the due observance of the Sabbath, all compulsory labour on that day was abolished; the Sunday markets were to be prohibited after ten o'clock; and as soon as a sufficient provision should be made for the education of slaves, those markets were to be abolished altogether. By the next, the use of the whip was to be given up as an emblem of authority, as well as a means of punishment. It was thought proper that the whip should never be used except by a special order. And let it not be inferred from this prohibition that its barbarous application had been habitual; as well might it be said, that, because we had laws against murder, all members of our community were assassins. The only object was to protect slaves, not only against positive, but against possible ill treatment. The next measure was one which gave the most general satisfaction. It was the abolition of the punishment of flogging females. It had been said that it was scarcely ever inflicted, and that their being liable to it was sufficient to ensure good conduct on their part. It had also been asserted, that if they knew that they were not longer subjected to it, they would behave in a different manner. But this object had been taken into consideration by the Court of Policy of Demerara, and that Court had decreed its abolition. He therefore felt convinced that he had adopted the right view of the subject. The next provision related to the punishment of males, and directed, that in all cases twenty-four hours should be allowed to elapse between the offence and the infliction; and that in no instance the latter should exceed twenty-five lashes at one time. No second punishment to be inflicted as long as any maceration resulting from the first should remain; and no punishment whatever to be inflicted, except in the presence of a white person, besides the individual ordering

it. Should it exceed three lashes, the punishment should be recorded in a book, with the offence, and in twenty-four hours afterwards, a copy, attested on oath, should be delivered to the commandant, and by him to the guardian or protector of slaves. The object of the next provision was to encourage the contracting of marriages. It authorized a slave desirous of marrying to apply to the commandant or the protector for a license. If he were able to produce the consent of his master to his marriage, the commandant or guardian were to be authorized to issue a license, and any clergyman of the Church of England, or of any other persuasion, would have leave to marry them, but would be bound to send, within a certain period, a certificate of such marriage to the protector, to be recorded and kept in a book by the latter. Should the master refuse his consent, the slave would still apply to the commandant, who would summon the master to hear his objections, and if they appeared unreasonable, the commandant would be authorized to issue a license, and the marriage would be solemnized, as in the former case. By the next provision, the object of which was to prevent violent separations by the sale of slaves, it was settled, that a husband and his wife could not be parted, but must be sold in the same lot, together with any children under seven years of age, which they might have. The next regulation was to protect the property of slaves, and to impart to them the power of making bequests. It was true that the practice existed, but it was thought necessary to give them the security of a law, to enable them to apply to courts of justice, and to prosecute in their own name. In order that they should be able to make an advantageous use of their property, saving banks would be established in various parts, where they might deposit their money, and receive an interest of five per cent. Should any

slave, when he laid his money in a saving bank, declare the manner in which he wished that it should be disposed of, in case of his death, that declaration was to be recorded, and kept in a book, and the money to be applied as he had said. But should he die without a will, it would be paid to his wife and children. The next provision afforded facilities for the manumission of slaves, by making the registering of that manumission chargeable on the parish, and not on the slave himself. The latter would also have the right of purchasing his freedom, and if any difficulty arose with his master as to price, it was to be arranged by appraisement. The master and the slave were to make each their own, and the protector to stand umpire between them. The last point related to the admission of the evidence of slaves. That evidence was to be admitted whenever a slave should be able to produce a certificate, signed by a member of the Church of England, or by any minister of a different communion, declaring that, after examination, he conceived him to have been so instructed in religious matters as to be fully sensible of the obligations of an oath. This certificate was to be also recorded in a book kept by the guardian or protector of slaves. The noble earl then drew the attention of the House to the state of our ecclesiastical establishment in the West Indies. It was most lamentably deficient; and he acknowledged with shame, that when it had been made, there had been no reference whatever to the slave population. That establishment was deficient as to its strength, and to the measures adopted for the discipline of such a clergy; but many efforts had been made by individuals and societies to make up the deficiency. Besides the society under the direction of the Bishop of London, there were the Moravian and Wesleyan Societies, who had sent many missionaries for the religious instruction

of the slaves. Great credit was certainly due to those societies; but for the honour of the Sovereign, it was not fit that an object of that importance should be left to the zeal and exertions of individuals. Their lordships, he conceived, would therefore agree with him, that our ecclesiastical establishment in the West Indies required to be increased, and that to be placed under control, and that no control could possibly be effective, except that of a resident. It had been generally believed, that the Bishop of London exercised some authority over the West India Islands. But this was not the case; he had no such authority. It was intended, therefore, that there should be two bishops, one to reside in Jamaica, and the other in the Leeward Islands. It was also proposed, that there should be one archdeacon with the bishop in Jamaica, and two with that in the Leeward Islands, and that both bishops should be accompanied on the outset with a sufficient number of clergymen to answer the demands pressing on the government. With respect to churches, it was not intended to take away from the governors of the colonies the right of presentation, and the patronage which they had hitherto enjoyed; but those presentations should be first submitted to the bishops, and afterwards to the King. The general state of the slave population was one of ignorance. They were like children, and must be taught as such. It had been said, some years ago, by a noble baron opposite, (Lord Holland,) that the slaves should be taught the same religion as their owners and managers professed. The observation was just: for the owners and managers would attend more readily to the instruction of slaves when taught by persons of their own persuasion, than by others. Besides, a community of worship was equally beneficial to the master as the slave, by uniting them both before their Maker, and making the high

and the proud feel the claims of the lowly to be treated as a fellow-creature. He wished it at the same time to be understood, that there was no intention to interfere with the exertions of the private clergy, or to disturb any fountain from which the great truths of revelation were flowing. In order to do away the evil effects arising on the mind both of the planters and the slaves, from the belief that there was an immediate intention of abolishing slavery, a short and simple proclamation had been issued. His lordship conceived, that the planters had a full right to compensation, in case of the abolition of slavery, and even for whatever loss they might sustain in consequence of its mitigation. He adverted to the evils which had arisen in St Domingo from the abolition of slavery, and to the great reduction in the produce of that island from what it had formerly been. In New York, it had been necessary to establish hospitals for emancipated slaves, who had become a burthen on the community. If Colombia had been more successful, this might be imputed, in a great measure, to the small number of slaves, compared to that of the free inhabitants, and partly to their having been employed in the army, on both sides, during the recent civil war, which had formed a strong tie between them and the rest of the inhabitants.

Mr Canning, in treating the same subject, declared, that he knew of none that was to be approached with so much awe, or the difficulties of which, the more they were probed, grew more in magnitude and importance. Ministers were obliged to contend against extravagances of the most opposite kinds. They were not to enter into the contest by sweeping all away before them, in order to make a clear stage for theory to have its trial. It was the duty of Parliament, while with a steady hand they guided the progress of amelioration in the slave, not to drive the plough

share through the property and lives of those who had been connected with them by circumstances, over which they had no control. Mr Canning gave a view of the arrangements proposed to be introduced by government, similar to that already given by Earl Bathurst, and concluded with the following summary. They abolished the whip, as applied to the female, altogether. They abolished the whip as a stimulus to labour, and put great restraint upon its use as a punishment, as applied to the males. They gave to the slaves religious instruction, and encouraged religious worship amongst them. They recommended marriage, and kept families together. Property was secured to them by law, and put in a course of accumulation. The evidence of slaves was to be admitted under certain regulations. And lastly, to encourage manumission, they gave the power of self-purchase to an individual for himself and kindred. The system was first to be adopted in Trinidad, and such, he hoped, would be the result, that it would soon be extended to the other colonies. He heard with alarm the expressed wish of some gentlemen for the immediate emancipation of the whole race. To adopt such a course would be like that child of genius, who, according to a modern romance, contrived to make a living man, and to endow him with form and action; but not having infused into his mind the intellectual power of distinguishing right and wrong, he found that he had created a giant to turn upon himself, and to become his destroyer. It was therefore his desire to go gradually, because he would go safely to his work. There were some who went beyond him in enthusiasm, and said that this plan would take time. Time!—To be sure it would. To be sure it ought. Time! What was it that they were struggling with? A thing grown up in a few years? No; it was the growth of centuries, nay, of tens of cen-

turies, if not coeval with the deluge. And was this a subject requiring so little time, that they, in the fulness of their nascent legislation—for be it recollected that this had been a country centuries before they thought of meddling with it—should think of annihilating with a blow this vast system, which had endured through all ages? Their duty was to watch with an anxious and a jealous eye over the silent progress of a sure and gradual change, until they arrived at the consummation of their hopes. In regard to the conduct of the colonial assemblies, he saw much to condemn, much to lament, something to excuse, and nothing to punish. He would not admit them to the glory of a contest. He hoped gentlemen would put a restraint upon that enthusiastic eloquence, which could produce no good, and might lead to the most dangerous consequences. Mr Canning closed with stating the steps which Britain had taken for the abolition of the slave trade, and which he firmly believed had been effectual with regard to the British West Indies, though they could not yet prevent it from being still carried on to a great extent by some other nations. He proposed to bring in a bill, rendering the slave trade piracy, as it had already been made in America, and establishing a mutual right of search between the two countries.

In the House of Lords, these exhibitions were well received. Lord Holland, the only speaker, admitted them to be very satisfactory, and thought the noble Secretary was entitled to the highest praise for the moderate and conciliating speech which he had delivered. He only wished to put a question, whether the provisions contained in the Order in Council which had been sent, and which provisions he highly approved, extended to all the ceded islands, or were confined to the island of Trinidad only?—Earl Bathurst, in explanation, observed, that with respect to

St Lucie, means were taken to accommodate the orders which had been sent out to the peculiar circumstances of that colony. To Berbice and Demerara instructions had also been forwarded, with the view of obtaining the most correct information on particular points; and as soon as advices were received from those islands, an Order in Council would be framed, conformably to their regulations.

In the House of Commons, the ardent zeal of the votaries of negro emancipation caused the explanations of Mr Canning to be received in a somewhat different tone. Mr Buxton led the van, and contended that the resolutions which the House carried in the last Session, pledged them to a stronger course, and referred to the condition of the whole negro population—not to a small portion limited to the colony of Trinidad. If by amelioration in the condition of all the slaves of all the colonies were meant only one colony, he for one must protest against that application of the promise formerly held out. It would appear from Mr Canning's speech, that the extinction of slavery could only be obtained through the operation of slow and silent causes, the assistance of gradual measures, and the all-powerful, and, above all, prompt intervention of the light of reason!—(Cheers from different parts of the House.) He should say in answer to that cheer, that if they intended to leave the pledge which had been made by his Majesty's government, and that House to be redeemed by the means dictated by reason only—it would require ten centuries before it was accomplished; and under such circumstances, he and those who with him had taken in hand this great cause, would feel themselves no longer parties to that pledge. It was made to 700,000 slaves, and if one *iota* of it were abandoned, they should not consider them-

selves parties to one tittle of it. He admitted that the Order in Council was good, so far as it went, particularly that clause which went to prohibit the flogging of females. Mr Buxton then drew the picture of individuals of that sex extended naked on the ground, and flogged with the cart whip, and enlarged not only on the horrid nature of the spectacle, but the moral degradation with which it must be attended. The House showed some disgust at these details; but Mr Buxton declared, that they might ring in his ears ten times as loud, before he would purchase a miserable indemnity from reproach, by a base desertion of a cause he had undertaken. But if the right honourable gentleman wished to effect his change through the medium of moral improvement, why did he not apply the same means to all the colonies? Why begin by granting to 22,000 in Trinidad, and 8000 in St Lucie, that which had been promised, but was not granted, to 700,000 negroes in the whole of the colonies? (Expressions of dissent.)—He wished to know then, whether government intended that the use of the whip upon females should be put down in all the colonies. He wished to know what grounds there were for expecting, that these views would be cherished and embraced by the West Indians at large. In Jamaica, the utmost exasperation had been shown, and even in the enlightened colony of Barbadoes, and in the speech of Mr Hampden, which he could not but commend as the only one breathing temperate principles, and couched in the language of courtesy, there were jokes on this subject, to some of which he could not refrain from treating the House. Mr Hampden said, that certainly the practice of flogging females might somewhat shock their gallantry; but the fact was, that their females were rather of the Amazonian order, and that he really thought their husbands would grumble

if their wives were put out of the reach of the whip. When he saw these jokes about gallantry towards negro females, black ladies, their Amazonian forms, and the grumbling of husbands at their wives escaping the cart whip, good jokes as he might concede them to be, he held them to furnish good reasons for not confiding such powers in the hands of West Indian attorneys 3000 miles off, still less for confiding them to the attorney's agent, and less still to his driver, who had been so justly characterized by the right honourable Secretary. He hated such a system, because of the personal cruelties which it favoured, but he hated it much more, because it tended to debase the possessor of such powers, and to render the master of slaves vile in the eyes of the world, and in his own eyes. If what Mr Hampden stated about the husband were true, then he must hate slavery for its physical evils, but ten thousand times more for the moral debasement which it fostered; for he held that all the qualities of manhood must be eradicated from that mind which could entertain such a sentiment towards a wife or a mother. They had been told that the whip was now a mere symbol of office, a badge of authority, the remnant of a barbarous custom. Happening, however, to take up a file of Jamaica papers, he found the advertisements for runaway negroes to lead to a quite contrary inference. One of these ran thus:—"He is marked on the flesh with the initials C. C. P., and has flogging marks on his shoulders." In another was the expression, as part of the description, "with marks of severe flogging." Another described a female negro by the name of Sarah, marked J. D. with a scar on her back! and indeed the papers were filled with a multitude of cases of this kind. There were no less than five hundred in one year. He alluded also to the practice

of burning, with a hot iron, the initials of the name and estate of the negro. There was one advertisement in these papers, describing a slave, Betsy, with S. O. A. marked on her, besides several letters which were not plain on her breasts. A second was a Creole, marked J. B. and other marks on his cheeks. Another, Peter, marked A. C. I. E. R. O. N. V. T. S. Yet they were told these things were abolished. Mr Buxton finally declared, that he cherished no enmity against the planters, nor any wish for the immediate emancipation of the slaves. He approved generally of the measures proposed by government, but did not wish to see them frittered down to the colony of Trinidad only.

Mr Ellis, the temperate advocate of the West India cause, rose to support those statements respecting the mitigated use of the whip, to which Mr Buxton had alluded, and which had emanated from himself. He admitted having said, that the whip was used as a symbol of office, but he had not said that it was an ornament. He had said, that it was not now used as a stimulus to labour, but he had never said that it was not used as an instrument of legal punishment, which was all the honourable member could draw from the Jamaica advertisements he had read, of negroes with the mark of the whip on them. With respect to the marks of the letters, all that he could observe was, that they were one of the barbarous circumstances of the slave trade, these marks having been used to distinguish the old slaves from those newly imported. The slave trade having been abolished, this practice, of course, no longer existed. With regard to the present state of the West India colonies, he could not but observe that a great change was visible in their condition from what it was formerly. When he lived in Jamaica, he resided in the



midst of a population of one thousand blacks, and in a house which had neither door nor window shut night or day. All that time there existed contentment and attachment to their masters on the part of the negroes, and confidence on the part of the masters towards their slaves. As to the causes which had produced the change now so obvious, it would answer no good purpose to inquire. Moral improvement was said to be desired by all ; but while the negroes were in expectation of receiving by every packet what they called a paper of freedom : while they conceived that the British Parliament was anxious to grant them this, and their masters adverse to the grant, and while the masters were fearful that their slaves were watching the moment to seize that freedom by force with all the horrible circumstances of such a step, was it likely that such a state of things could be conducive to the moral improvement of society ? Mr Ellis endeavoured to excuse the violence of the colonial assemblies, from the state of alarm in which they were kept, and the extravagant charges which had been advanced against them in this country.

Mr Wilberforce declared that he had listened with unfeigned satisfaction to the ameliorations proposed ; but at the same time he could not consent, that the fate of so many immortal beings should be left to the adjustment of the colonial assemblies. They could not hope that the conduct of persons in the islands would be different now from what it was in 1797 ; after what they had experienced, they could not expect that the local authorities, unless compelled to it, would promote these ameliorations which the Parliament thought ought to be enforced. From his soul he believed that they were on the brink of a precipice, and if they did not observe much care, he feared the results would be most calamitous. The state

of the population was dreadful. Interested persons had spread the foulest calumnies. Even he had been accused of circulating pamphlets and statements through the islands. He was ashamed to have to say that such representations were wholly false ; such calumnies might be natural to the soil of slavery, but they were altogether founded in falsehood. He then alluded to the violent language used by the colonists, and to the fact that there was one universal feeling amongst the negroes, that the Parliament intended to do something for their essential benefit, but that their masters resisted the adoption of such beneficial measures. The truth was, as had been well observed by one who was competent to judge of the subject, that the negroes were on the tiptoe of expectation to learn the declarations of Parliament. But what would be their sensations when they found that the ministers paused, and that the Parliament also paused ? Just as they had got the cup to their lips, and were about to partake, as they imagined, of the sweet draught of liberty, they would behold it dashed from their hands. Such would be their feelings, and he feared the consequence would be, that they would endeavour to take the cause into their own hands. The calamities which took place at St Domingo, were occasioned by the vacillating conduct of the French Convention, which enacted measures one day, and reversed them the next. The consequence was, that the negro population took their cause into their own hands, and the House knew the result. As to insurrections being the consequences of the course which Mr Wilberforce and his friends pursued, it was a remarkable fact, there never had been fewer insurrections than characterized modern times.

Mr Baring, in a speech where the feelings of a great West India merchant somewhat contended with those

of a philanthropist, declared that he would be glad to see the negro population free, if it were fit for freedom. He complained, however, of the extravagant reports circulated by the emissaries of the Anti-Slavery Society, and observed, that the case of Higgins had been brought forward over and over in every speech on the subject. He concluded with observing, that as to compensation, it would frighten the House to calculate how much would be required, and that, if it were proposed for that purpose, to double the malt tax, or window duties, there would be a small show of petitions.—Mr Peel replied to the arguments on the opposite side, and maintained that the course suggested by his Right Honourable Friend with so much eloquence and benevolence, was the true course to be pursued. It showed the *animus*. It would show they were interested in the welfare and comfort of the slaves. He was satisfied, when the irritation of the moment had subsided, the colonial legislative assemblies would adopt the measures recommended by the government of the parent country, for the improvement and gradual manumission of the slaves.—But Dr Lushington complained that the Right Honourable Gentleman had not told the House candidly, that if the Colonial Legislators refused, for three or four years, to adopt the measures recommended, he would not remain passive to their contumacy.

After some further conversation, and a reply by Mr Canning, the motion was agreed to without any opposition.

The question, however, connected with the West Indies, which excited the most intense interest, both in the political and religious worlds, and was destined to form the main trial of strength, was that of the missionary Smith. The severity of his treatment, and his hard fate, excited through the numerous classes interested in his cause a mingled sentiment of sympathy and indig-

nation. The table of the House was covered with petitions from towns, boroughs, and voluntary associations, calling aloud for an inquiry, fully expected to issue a severe censure on those who had been concerned in that transaction. Mr Brougham, whose oratory had been so long devoted to the negro cause, brought forward all his powers to fulfil the wishes of so large a portion of his countrymen.

On the 1st June, Mr Brougham brought the subject before the House. After some modest preliminaries, he alluded to those who thought that the affair ought not to be agitated; that it was in fact of little consequence, having occurred in a distant colony, and related to an obscure individual of the name of Smith, who was connected with, to make the thing more unpalatable, the Methodists. It was the first time he had heard in that House, that because a man was unprotected—because he stood single and alone against those who were in power, that this was a reason for shutting their ears to the hardship of his case. Supposing that Mr Smith had been a Methodist, was that a reason why they should not take an interest in his cause, if it was believed to be a just one? But Mr Smith was no Methodist, nor was the society which employed him of that persuasion. It was the Church Missionary Society, which was composed individually of members of the Established Church, that had sent him out. He was a member of a respectable and enlightened society of religionists, who were entitled to peculiar veneration from the universal toleration which they favoured, and to whom, in all ages, the country generally had owed a debt of gratitude. He would undertake to show those gentlemen who honoured him with their attention, that from the beginning to the end of the trial of Mr Smith, there had been a violation of the most common forms of law, as well as of substantial

justice, such as he had never known, in modern times, to be connected with anything that was called a judicial proceeding. Resolutions had passed that House, and instructions had been sent out to the colonies, of which he should not now inquire whether they were the best possible; but the fact was, that they had excited a considerable fermentation in this colony. Unhappily it did not occur to the authorities there (he could make every allowance for them in the alarming state of things which they witnessed,) to do what he should have thought would naturally suggest itself; namely, to promulgate the instructions which had been received at once. This was delayed week after week, up to the period of the fatal occurrences with which the House was acquainted, and no authentic communication of the instructions received was made either to the white or to the black population of that colony. The interval was six or seven weeks, the instructions being acted upon from the 7th July, the revolt breaking out on the 18th August. It was dangerous to talk of freedom in such a state of society.—It was an opinion which he entertained before he had a seat in that House, and which he still retained, corrected perhaps in the manner of its expression, from his experience of men and things, that it was necessary, as well from justice to the white proprietors, as from regard to the welfare of the negroes themselves, to maintain the present state of society in the West Indies. It was justice to the whites and mercy to the blacks, never to allow the former to dread, or the latter to hope, that Parliament would sanction the emancipation of the slaves—he meant their sudden, unjust, unqualified emancipation, inasmuch as to do this would be cruelty to the blacks, and under the name of it would not fail to inflict on them the severest misery. The course which he described to have been taken crea-

ted naturally and inevitably great alarm, and led to those disturbances which all concurred in deeply lamenting. Mr Smith had for six years officiated in the colony; his unimpeached moral character obtained for him the love and veneration not only of his flock, but of others who were attracted by the propriety of his deportment and the purity of his life. The papers before them contained only a part of the proofs which he could offer of the high character of Mr Smith, but these were sufficient for his purpose, as they established the fact that those who knew him best esteemed him most. Mr Smith was dragged from his house about three days after the revolt took place, when its violence was not only exhausted, but when the disturbance was substantially quelled. He was dragged from his house without being allowed to provide himself with those accommodations which are comforts elsewhere, but which, in that climate, became absolutely necessary for the preservation of health. For him these were peculiarly necessary, as his life had recently been attacked in one of its principal seats. He was, however, hurried with indecent haste to prison, and there shut up in that sultry and unwholesome climate for many weeks. He was then removed, at a time when his life was in great jeopardy, to another prison, which was only fitted for a place of torture, where he was exposed to the damps arising from a piece of stagnant water. Mr Smith was seized under the hollow pretence that, by the declaration of martial law, he was required to serve as a soldier. If from ignorance of the fact that this was required, he had refused to serve, surely there was some excuse for his so doing. Mr Smith was, however, hurried to prison, and his papers were seized. With these was his private journal, part of which was intended to be sent to his employers, but the greater portion of it was intended to

meet no human eye but his own. He was kept in prison four calendar months. On the 9th of November he was confined in a room called the *Garret*, where he was subjected to many privations, and it was finally resolved to bring him to a court-martial. He called on the House to pause, and survey as it were the outside of this proceeding. He believed it would puzzle the most learned member of the Court to say under what law this was done. As a lawyer, he could not understand how Mr Smith could properly be tried before a court-martial. A decree of Philip and Mary had subjected to a court-martial, all found guilty of circulating protestant books. There had been other less atrocious instances; but by the petition of right, this mode of trial was strictly limited to military offences. In a civil court, Mr Smith would have had the advantage of delay; two witnesses would have been necessary against him, and there would have been a learned person acting in his individual and professional responsibility in the character of Chief Justice, instead of that person being introduced, by a strange anomaly, under the character of a lieutenant-colonel of the militia. He was then hidden among the common and irresponsible members of the Court. The Judge Advocate, whose duty it was to lean towards the prisoner, had displayed the utmost virulence against Mr Smith. Lieutenant-colonel Goodman, whom he personally esteemed, was yet connected with the colony, and held the office of *rendue* master. Mr B. had actually seen advertisements of the sales of fifty-six slaves, every one of which had been signed by him. This gave him an interest in the system of slavery, and ought to have been considered as a disqualification. Trial by court-martial might have been legal during the short interval of the insurrection; but, for that court to assemble two months after, and at twenty-eight days, was contrary

to every constitutional principle. Mr Brougham then went over a number of the proceedings and of the questions that had been put, insisting that they were highly irregular and unfair. To show that not a shadow of crime could be charged against this poor missionary, he would read a letter which was written by a gentleman whom he should not name, but the letter mentioned a name to whom appeal could be made, and whose respectability would sufficiently authenticate the contents. The gentleman so named was Mr Austin, who was no Methodist, no sectary, but a member of the church, as by law established.—The letter stated that the negroes who accused Mr Smith in their confessions when throwing themselves upon the mercy of the Court, denied those confessions just before they were launched into eternity. Their last statements were then taken down, read to them, and signed upon their oaths. According to the opinion of Mr Austin, the object of the revolt was not blood. He stated his belief that nothing but the religious instruction which Mr Smith gave to the negroes had saved the blood of those who were then seeking his. They stated their object to be that of driving their masters to the towns; and by driving they simply meant to use only such force as would compel them to go. In fact, it meant no more than that they would strike work. They stated in the very heat of their passions, where every passion was heated but that of revenge, that they would not take away life, because their instructor had told them that they had no right to take away that which they could not give. Much blood had been spilt on the part of the negroes, for he believed that above two hundred had suffered altogether. He had in his hand gazettes, by which it appeared that others had been submitted to the minor punishment of flogging. Two had received 1000 lashes each, and were condemned to

work in chains for seven years. A good deal of this punishment appeared to him to be unnecessary, and calculated to disgrace the white man, and still more to increase his insecurity. He could say little of other individuals, when he found the governor telling a missionary that if he dared to teach the negroes, he would send him out of the colony. The honourable and learned gentleman here referred to a paper issued, as it was understood, by some member of the established church in the colony, declaring that there would be no more psalm-singing in the colony; condemning the mode of preaching adopted by the missionaries in addressing the slaves; and observing that it was only in the Bethel Chapel that slaves were addressed by the title of "dearly beloved brethren."—This last assertion showed how little this orthodox religionist must have attended to the service of his own church. The paper went on to observe, that slavery must either continue as it now did, or not continue at all. How ignorant must be such individuals as this! They had before them danger enough to satisfy the warmest chivalry; they were a mere handful of slave masters in the midst of myriads of African slaves, of all tempers and dispositions, but who would all forget the shades of distinction between themselves to join against the whites. An immense ocean separated these ignorant men from all European assistance in the moment of immediate danger; and yet were they proceeding in a manner which must exasperate the coolest, and which could not fail to warm religious enthusiasm into madness. To avert the danger, if possible, he called for the assistance of Parliament. He called upon them to save the West Indians themselves from the horrors which threatened them. He made this call first on behalf of the slaves, to whom we owed all that could be owed to ill-treated men, from those who were in the close connexion with

the men who had ill-treated them. He made the call next on behalf of the masters themselves, to prevent their continuing in that ruinous course which had begun in the martyrdom of Mr Smith. He called upon them last, though not the least, to discharge a duty which they owed to all classes in this country, by disavowing the whole of the proceedings relative to that gentleman. The honourable gentleman therefore concluded with moving an address to his Majesty, declaring the opinion of the House, that the condemnation of Mr Smith was unjust.

Mr Wilnot Horton, secretary for the colonies, undertook to reply to Mr Brougham. He insisted, that any technical irregularities which had occurred in the proceedings, arose necessarily from the unsettled state of things in the colony. The principal question, however, was, whether substantial justice had been administered. By this test he was perfectly willing to try the present motion, because he was not prepared, nor was it necessary, to defend the case by technical rules. It should be remembered that the colony was in imminent danger; and that for 3000 whites, there were 77,000 slaves. The Court which tried Mr Smith was formed as unexceptionably as it was possible, considering all the circumstances of difficulty. Had the prisoner been tried by the ordinary constitutional form of proceeding, he was much more likely to be brought before a prejudiced Court than that which had actually tried him. He would then have been tried by a jury of planters; negro evidence would have been equally admissible against him; and he would no more have been allowed counsel than he was under the proceedings as they had actually taken place. The honourable and learned gentleman not only complained of the original proclamation of martial law, but of its continuance after all necessity for it had ceased. To show that this

was not done vexatiously towards Mr Smith, as had been held out, he would refer the House to the governor's dispatches to the government at home, in which he observed that he was most anxious to abolish martial law, and would take the first safe opportunity of doing so, but that the whites were still very much alarmed, and relied chiefly upon their arms; especially when they considered the vast disproportion in number between the whites and the slaves. The honourable and learned gentleman said, that sentence of death had been passed for an offence, which, by law, was not punishable by death. The legal part of the question he did not attempt to meddle with; but even supposing the honourable and learned gentleman to be correct in his legal view of it, the sentence had been qualified by a recommendation to mercy; and when it was remembered, that in no case within memory, had such a sentence, so qualified, been acted upon, it was too much to say that the Court desired to take away the prisoner's life. They conceived (whether right or wrong was not the question) that the crime was legally punishable with death; but they thought there were palliating circumstances which rendered it proper to mitigate the strict severity of the law. In regard to the insurrection itself, it was not denied, that Mr Smith's friends and agents had been the ringleaders in it. It was impossible, he thought, to read the papers, and pronounce Mr Smith to be the spotless character he was described to be by the Missionary Society. Mr Horton did not think he had any malicious design, for he believed him to be a mere enthusiast, and by no means qualified for a temperate performance of the duties of his office. He begged the House only to look at the topics which Mr Smith had chosen to address to the slaves. Mr Smith also advanced a most dangerous doctrine, by attempting to find reasons for not ma-

king a matter of such importance as the conspiracy known to the constituted authorities. He appeared to say, too, that slavery could not be mitigated, but must be altogether abolished. He begged to ask, was this a doctrine which would be sanctioned by the Missionary Society? No doubt, Mr Smith thought the doctrine was right, and regulated his own conduct in consequence of it. All the evidence on this point clearly went to show the frame of mind in which Mr Smith was, at the time shortly previous to the insurrection. His allusion to the many wars, and sheddings of blood, about matters of religion—his allusion to the affairs of St Domingo—and his laying it down that it was culpable in the slaves to work on Sundays, all went to prove what Mr Horton had before observed on this point. Mr Horton believed it was the wish of government, and of that House, to see the practice of Sunday work altogether discontinued; but it was not the business of Mr Smith to tell the slaves, that by obedience to the present law, they would be offending their Maker. He thought the evidence clearly proved that Mr Smith had known of the intended insurrection without disclosing it. How could the Missionary Societies ever carry their intentions into effect, if they had not the aid of the slave-masters? Knowing the facts Mr Smith did, it was his duty to have communicated them to the government; and not having done so, he was guilty of misprision of treason. How did it happen, that out of the whole colony, the slaves who attended the Bethel Chapel were the only persons affected by the impulse of insurrection? Upon the imprudence of Mr Smith, he believed there could be no difference of opinion among impartial men. The question of his guilt or innocence must remain between him and his Creator. Mr Horton thought he was an imprudent enthusiastic man, who conceived that the end justified the means. Mr Hor-

ton contended that he was properly brought to trial; and that, if there was a failure of any technical forms in the course of his trial, there was none of substantial justice. The Missionary petition stated, that the insurrection was not caused by Mr Smith, but by the cruelty of the slave-owners to their slaves. Now the fact was, that the leaders of the insurrection were high in the confidence of their masters; well paid, well fed, and in good circumstances. The whole of the evidence proved that Mr Smith had not followed the instructions given him by the Missionary Society.

Sir James Mackintosh professed himself anxious to bear testimony against a proceeding as unwarrantable as ever disgraced the administration of justice in the British dominions. As to the charge, that cruelty to the negroes had not been the cause of the insurrection, because the actual ringleaders had not been exposed to it, there could be no greater fallacy than this. The great mass of a people might be oppressed, though the leaders in an insurrection to oppose oppression did not feel it. Leaders in such cases were generally persons of superior talent or station, who, though they might not feel so much as others the wrongs inflicted, would still be the foremost to avenge them. He believed the Chief Justice Wray to be a respectable man, but it was in vain to argue against facts, from character. Hearsay evidence of the worst kind was admitted. Let the character of Mr Wray have its weight, but let it be used as a shield to protect, not as a sword to stab, the character of Mr Smith, the only thing now unfortunately left in their hands of that most ill used gentleman. He could lay his hand to his heart, and declare upon his honour, or if there was any pledge more sacred, that he believed him to be a most innocent and virtuous man, illegally tried, and unjustly condemned to death,

and persecuted in a manner that was a disgrace to any enlightened government, even in the case of the worst criminal. He would put it to the House, whether the letters of Mr Smith, which merely contained general observations and discussions, and had no relation to action of any kind, should be taken as evidence that he was guilty of misprision of treason. Could the journal of a man, in which he entered the sentiments of his life, be produced in evidence against him? The case of Sidney vanished before the atrocity of producing that journal as evidence of the guilt of Mr Smith; a journal which had never been seen even by his wife, which had been dragged from the most sacred secrecy for the purpose of bearing testimony against the man who had kept this register of his religious thoughts and opinions from the eyes of all the world. But what did this document prove? Part of it had been handed about the Court without being read to the Court, and the advocate for the prosecution charged him upon the remainder with the crime—of what? of being an enemy to slavery itself. Mr Smith had in his journal said, that he had been obliged to compose in the midst of agonizing cries. He had been vile enough to declare that slavery should die a violent death, and the extracts which thus exhibited the feelings and sentiments of the writer were all treasured up as proof of a wicked participation in the views of the insurgents. The honourable gentleman then endeavoured to show, from various authorities, that martial law had been here improperly applied. There was no such thing known as martial law applied to offences usually punished by the law. It was inapplicable to all except military cases. It was not warranted by the law of Holland, by the law of England, or by the law of the Colonies. It was argued that Mr Smith had intimation of the insurrection, and that he concealed that know-

ledge. It was to be answered, that he had no more than a general idea of disturbance, and that, so far from making a secret of that fact, he disclosed all he knew about the general dissatisfaction to two officers, who were qualified to take the necessary precautions. Sir James then argued upon the absurdity of deciding upon the fate of an individual, upon the evidence of persons who were strangers to the language which he spoke, and yet whose language was the only avowed proof of his criminality. He was charged with having made a communication, but it was admitted that he used a dissuasive; what grounds were there, then, for supposing that he incited to revolt? He had appealed to their religion and their prudence; to the first as a security against crime, and to the second as a security against danger. And who were those that testified against him? None but men who expected a cruel death, or the reward of perjury. True it is that Mr Smith had not informed against any particular persons; but was it not natural to think that he would entertain a favourable opinion of those who had confessed, and would he not have been culpable if he had exposed them after such confession? But the cruelties to which Mr Smith was exposed, and which were extended to his wife, were of the most intolerable description. From the 7th of August till the latter end of November, the sentinels stationed at his door, which lay open, called to him every two hours at night, to know whether he was asleep. Some, however, of the sentinels, were more kind than others, and were content with looking at him as he lay in his dungeon. All this occurred while his wife, a most delicate woman, was with him, and when the thermometer was at eighty-three. Under these circumstances, and while his body was sinking under disease, the first person who visited him was—not a physician, not a legal friend or adviser, but a per-

son who announced to him his conviction, and menaced him with death. When Mrs Smith, and her friend Mrs Elliot, applied for permission to accompany the body to the grave, and pay it the last sad honours, they were refused permission to enjoy this melancholy gratification; and the funeral was ordered to take place at such an hour as would be likely to prevent their attendance. They refused, however, to obey the mandate, and at four o'clock in the morning had the satisfaction of seeing the remains of him they loved while living deposited in his unhonoured grave. The government had refused to allow a slight memorial to be erected over his tomb. Such was their rancour against the unhappy victim of their persecution, such their hatred to his memory, even when the object of their revenge was beyond their reach, that at a general meeting of the principal inhabitants of the colony, they ventured to pass a vote of censure against Lord Bathurst and another body, whose name was not often before coupled with that of the noble lord—"the Missionary Society of London"—for screening Mr Smith from their vengeance.

Mr Scarlett, who might have been expected to second Mr Brougham and Sir James Mackintosh, took, on the contrary, a somewhat opposite course. Notwithstanding all the ability and all the ingenuity with which his learned friend had stated his case, he could not help feeling considerable doubts as to the propriety of joining with him in a sweeping accusation against persons who were absent, and had no advocate in that House to defend them. He could not agree with his honourable and learned friend in stigmatizing those gentlemen who found Mr Smith guilty, as murderers; for if he affirmed the resolutions of his learned friend, such would be the conclusion that he must come to. He considered, indeed, the mode of trial by court-martial as irregular,



but it appeared to him that Mr Smith had been found guilty of misprision of treason. He should not follow the example of his honourable and learned friend who had last addressed them, and endeavour to inflame their passions by a vehement harangue; he should confine himself to a plain statement of what he found in the minutes of evidence, from which he hoped to prove, even upon the showing of Mr Smith himself, that he was not unconscious of the projected revolt, and that, possessing such consciousness, he refrained from communicating it to the proper authorities. He was willing to admit that Mr Smith's intentions were pure; but it was not the moral, but the actual guilt, and its probable consequences, that the Court were bound to ascertain. His ignorance of the crime did not alter its quality; and the evidence which was brought forward against him, coupled with his own admissions, formed a sufficient justification of the verdict to which that Court-martial arrived.

Dr Lushington, in the debate now adjourned to the 11th, took a decidedly opposite course. "I claim," said he, "for that injured man, his innocence, both legal and moral; and I am satisfied in my conscience that I shall establish it by evidence which any fairly constituted tribunal, any judges seeking the truth only, will declare to be unimpeached and unimpeachable." The learned member proceeded to illustrate this position by a lengthened examination of the evidence, and finally arrived at the conclusion, that the prosecution originated in a deadly hostility to religious education amongst the negroes. "I could show, from various documents," said he, "this spirit of hostility to religious education, and a determination to degrade the negro character, openly, disgracefully avowed, in that colony. And, sir, this conduct will be to the humiliation and disgrace of our tribunals of public

justice in the colonies, unless this House expresses, in the strongest and most decided terms, its reprobation of such proceeding. If you do not do this, you will let it go abroad that you do not mean to govern your colonies upon principles of law and justice. An awful responsibility now rests upon his Majesty's ministers and upon this House. The right honourable gentleman opposite (Mr Canning) has hitherto stood forward as the friend and advocate of every measure introduced for the benefit of the negro population of our colonies. I call upon him to consider what will be the effect of negating the motion, and to reflect upon the triumph that will be obtained in Demerara by such a proceeding. Let it once be known in that settlement that this motion has been negated, and the persecutors of Mr Smith will rejoice, the shouts of victory will burst forth. How, then, is the complaint of the humble negro to be heard? how are injustices, daily inflicted upon him, to be remedied? I say, sir, that we owe it to ourselves—we owe it to justice—we owe it to him who is gone to render his account at the bar of heaven, to come to no decision upon this question, which, as conscientious men, we cannot approve of as just and right."

After a few observations from Mr Tindall and Mr Williams, Mr Wilberforce rose amid the anxious expectation of the House to hear his sentiments on this subject. He began by saying, that after the able arguments which had been so forcibly urged upon the House by his honourable and learned friends, he would not, by attempting to comment upon the particular facts of this matter, weaken the powerful impression which these arguments must have produced upon the minds of all men who heard them, that more unjust and shameful violation of all the great principles of law, religion, and humanity, had never been committed, than had

been committed in the case of Mr Smith. The course which had been pursued by the able men who had, in that House, endeavoured to sustain the defence, he would not say, but who had attempted the palliation of the conduct of the Court-martial, had been this;—they had addressed themselves to one or two particular facts, out of the immense number which had been adduced, to show the partiality of the conduct adopted towards the much-wronged and excellent minister; and if there happened to be parts in which that partiality was not quite so glaring and apparent as the others, they contended upon the strength of them for the entire acquittal of the Court-martial, and the government of the island. The case for the defence of this Court-martial, and its proceedings, had really been argued almost to an admission that persons who lived in these colonies acquired particular feelings, and habits, and characters, different from those which persons possessed in this country. Why, therefore, the properties and liberties of individuals who resided in them were likely to be well considered and protected by tribunals so composed—but, in truth, this was another argument in favour of the benefit of an appeal. It was in vain for the House to be told that the individuals of this Court-martial must, of course, be unprejudiced men! for he and his honourable friends well knew that both naval and military officers acquired habits, and feelings, and opinions upon the slave question, and all interference with that question, which did vitiate their judgments to a very great degree. It was notorious, also, that forty years ago, before any of those ameliorating statutes that were now in existence had passed; statutes, by which the condition of the islands and colonies was allowed upon all hands to have been so vastly improved; when all those abuses and oppressions which at that time disgraced the West Indies

were in all their vigour, there were not wanting judges, and generals, and admirals, in England, who declared, from their own experience and observation too, that the system of slavery and slave management in the West Indies was as perfect, and as proper, and as free from all objections, as could possibly be. He himself had often heard a naval commander—a most highly valued friend of his, and a just, a wise, grave, and good man—who had positively carried his approbation so far, as to express a wish that he was one of those slaves himself. The honourable gentleman adverted to the recent resolution passed by the House of Commons in favour of the slave amelioration, and education; and contended that the principles advanced by the Advocate-general, and those which were promulgated in the *Demerara Gazette*, (a paper understood to be directly patronized by the colonial government,) were in direct and unseemly opposition to the recorded sentiments and intentions of that House. He then added, that unless the motion of his honourable and learned friend were complied with, all the measures on behalf of negroes, and with the view of providing them with a religious education, would be rendered nugatory. He remained firmly convinced that this good and excellent man, Mr Smith, had not the slightest knowledge of any intention on the part of the negroes of Demerara to revolt, and declared his intention of supporting Mr Brougham's motion.

Mr Canning said, that whatever difference of opinion might prevail in the House, with respect to the vote which they ought to come to on this occasion, and whatever shades of difference might exist even among those honourable gentlemen who concurred in the same sentiment upon the question before them, there was one point upon which he thought the opinions of all who heard him would be in unison; and that was,

that the question of this night was one of the most painful ever discussed within these walls. Indeed, he scarcely recollected any one question being agitated in Parliament, upon which he could say—as he felt he must say upon this—that there was no part of it on which he could look with the least satisfaction. To many of the principles which had been upon this occasion enforced with so much eloquence, he was disposed to give his hearty support; but he entirely differed with his honourable friend who had spoken last, as to the assertion, that the House was placed in the dilemma of being obliged either to contend, upon one hand, for the perfect propriety of every part of the proceedings of the Court-martial, or, upon the other hand, to be prepared to assign to the unfortunate gentleman who had been the subject of these proceedings, the titles and honours of martyrdom. He (Mr Canning) was prepared for neither of these extravagant extremes. The charges that were brought against the proceedings of the Court-martial, seemed to resolve themselves into three principal heads—1st, as to the impropriety of the tribunal; 2dly, as to its mode of action; and 3dly, as to the evidence upon which the sentence had been passed; qualified as these charges were, by the presumption throughout, that Mr Smith was perfectly justified. It had been stated that no man could dissent from the honourable and learned gentleman's resolution, who was not at the same time prepared to maintain the guilt of Mr Smith, to the utmost extent at which that guilt had been alleged against him. But here again, Mr Canning was compelled to declare himself of a very different opinion; and without wearying the House by repeated references to those passages of the evidence which had been discussed with so much ability by several members, as to impress upon the mind of every man who had gone through the

duty of reading that evidence, a complete analysis of all its contents and their bearings, he had no difficulty in stating the impression of his own mind to be this—that of that crime, call it by what name they would, which consisted in the silence of Smith, upon the subject of those alarming movements which he knew to be pending, and those dangers which he knew to be imminent, he could not acquit Mr Smith. He stated this impression of his, however, with no circumstances of exaggeration—with no imputation of design, as upon the part of Mr Smith; and with no presumption that he could dive into the motives of that individual. Under the laws of Demerara, as derived from its former Dutch connexion—under those of the Court-martial, as sitting to try a crime of this nature—under the proclamation of martial law, instituted at that time—and under all the circumstances of this most peculiar case, whether the punishment which was so apportioned to that crime or offence, was proper, or expedient, or justifiable, was a question which, upon his own resources of learning and information, Mr Canning was not competent to decide. But when the question proposed to the House was to inculcate this Court-martial of murder, for that was the effect of the proposition, what he was to ask himself, was, did the Court-martial believe that they were acting legally in passing this sentence? He would not inquire into the motives of the deceased; they might have been good in his own opinion; but, whatever they were, he would say on one hand, that he was not entitled to the honours of martyrdom; nor were his judges proved to have had that *malus animus*, that they should be condemned for their sentence. In conclusion, he would observe, that the House would best consult its duty by taking no farther cognizance of the affair, satisfied that the discussion would answer every purpose of public justice, as we

as the resolution of the honourable and learned gentleman: and that this determination of Parliament would never be misinterpreted to any lukewarm disposition, as to affording to the negro slaves the full benefit of instruction. He then moved the previous question.

Mr Denman, and Sir J. Yorke, de-

clared themselves prepared to support the motion; and Mr Brougham replied.

The question being called for at three in the morning, the opponents of the measure mustered the large minority of 146 against 193, constituting a majority of only 47.

## CHAP. VIII.

## MISCELLANEOUS PROCEEDINGS.

*Vote for the Building of New Churches.—Renewal of the Alien Act.—Proceedings of the Indian Government relative to Freedom of the Press.—Motion for Relief of Unitarians in regard to the Marriage Ceremony.—Vote for the Repair of Windsor Castle.—Mr Hume's Motion relative to Impressment.—Mr Abercromby's Complaint against the Lord Chancellor for breach of Privilege.—Prorogation of Parliament.*

AMONG the Miscellaneous proceedings of the present year, we shall give the first place to those which related to the ecclesiastical state of the nation. The former vote of 1,000,000*l.* for building churches, though it had produced accommodation for 150,000 additional individuals, left still a considerable deficiency in the means of religious worship and instruction. Ministers, therefore, who showed always a laudable zeal to promote this branch of the national interests, proposed to take out of the little-expected proceeds of the Austrian repayment, half a million in addition to the sum formerly voted. This proposition, which could have no motive except the expectation of promoting the public benefit, and giving satisfaction to the nation, was brought forward under the pretty confident view of its meeting an almost unanimous assent. No sooner, however, was it named, than

Mr Hume, Mr Hobhouse, and some other members, declared their intention to resist it in the most determined manner; so that when it came forward in the shape of a separate proposition, occasion was afforded to a debate of considerable magnitude.

When the House, on the 9th April, resolved itself into a Committee, the Chancellor of the Exchequer declared, that he was only induced to trouble them with any remarks, by the above unexpectedly-announced opposition. At this he owned himself much surprised. He could have imagined that other objects might have been represented as more urgent, but never that the present could be represented as bad in itself. What, however, was his surprise, when he heard the proposal to build churches denounced as blasphemous!—He knew it was difficult to assign the legal meaning to that

word, nor was he now going to make such an attempt; but this certainly was the first time such a meaning had been given to it. It was said that it was absurd to call upon the people at large to contribute to the building of these churches, because amongst them dissenters might be found, whom it would be unjust to tax for such an object. If this principle were carried to its test, it would result, that they could have no established church at all. They voted every year a sum of money for the education of the Catholics. A considerable number of persons were still left without the means of religious instruction. He knew that there were many aged and infirm persons, who could not attend divine worship, and dissenters, who ought to be taken from the account; but from this Report it would be seen that there were 179 places, containing a population of 3,548,000, in which there was no church accommodation for more than 500,000 persons, or about one out of seven. Many were in consequence precluded from attending divine worship according to the frame of the church of England. He considered it would be to show a most unworthy indifference to the interests of the church, and to those of the people, if assistance were withheld. A great anxiety for religious instruction had been manifested. The churches which were already completed, had been crowded, to the great benefit, comfort, and consolation of those who frequented them. To leave those who were anxious for religious instruction to seek it as chance might direct them, would, in his opinion, be to neglect their duty as a Christian legislature. The sum of 1,000,000*l.* which had already been granted for building churches, had not only done all that was expected from it, but had exceeded the calculations and hopes of the Commissioners. They had expected it to furnish the means

of building 85 churches, which would accommodate 140,000 persons. But the result was, that 95 churches had been built, or were now building, which would offer seats for 153,000 persons. The additional 13,000 had been provided for by private subscriptions made in aid of the parliamentary million. He read letters from Blackburn, Birmingham, Nottingham, Bath, &c., which showed that the new churches were well attended, and that the ministers were not likely to preach to empty walls. Having already granted one million to erect new churches, he thought if the present grant were refused now, when they were much richer than before, and could spare the sum ten times better, it would be most extraordinary. It might be objected that this sum would still not suffice; but the not being able to do all we wished, was no reason for doing nothing. He did not say that the grant by Parliament of a larger sum would be a misapplication of the public money; but he would not at present ask for more.

Mr Hobhouse, notwithstanding the delicate ground on which he stood, and the charge of indifference to which he might subject himself, thought he would best consult the interests of his constituents and of the people of England, by opposing the present motion. He thought, if churches were wanting, they might be supplied out of the revenues of so opulent an establishment as that of England; but he doubted much if such a want existed. In six out of the eight parishes of Westminster, it was represented that one hundred and thirty-three thousand persons were thus circumstanced. He had inquired into this. In the parish of St George, Hanover Square, there was supposed to be 33,477 deficiencies. This, by the by, was assumed from a reference to the census of 1821, which included all persons living there, among whom were many infants and

others, who could in no case attend a public place of worship. The church of St George, Hanover Square, was certainly thronged; and at St James's, the excellent man who there officiated was so attended, that to obtain a pew it was necessary to engage it seven years before hand. An applicant for a seat was promised to be put on the list, but more could not be looked for. But in the parish of St George there were three chapels of ease. The first of these at which he inquired could have furnished one hundred places; the second was not full; the third was. In St Ann's church, it was stated that there was a deficiency of room for 14,000 persons. There was no chapel of ease in that parish, which contained but about twelve or fourteen hundred houses, but he found there was plenty of room in the church. So the statement made of a deficiency to the amount stated was incorrect. In the next parish, the deficiencies were 26,319, but then there was a chapel of ease, in which places were to be obtained. In St Martin in the Fields, the deficiencies were reported 23,752, but seats were easy to be got. In St Margaret's parish, the deficiencies were said to be 20,889. The church was full, but in that parish there were three chapels of ease, where seats might be obtained without difficulty. In the parish of St John, room was wanted for 14,839 additional persons. That church, however, was not at all full, and one of the sextons had told him, that when a sermon, which was expected to bring a crowd, was preached there had been room for more than 100 persons. There were instances of deficiencies of room in the dissenters' chapels, but this was no argument in favour of assisting dissenters to build additional places of worship. He did not think that ought to be done. The attendance at church had not fallen off, and there was scarce a tradesman in Westminster

who did not take his family to a place of worship on Sunday, and who would not be pointed at if he were not to do so. To provide at the present rate, for the 3,000,000 of deficiencies stated by the minister, would require a sum of twenty millions. But since he had been one of the members for Westminster, in which it was stated there were 133,000 deficiencies, he thought his doors had been open to all, and though all sorts of other complaints had been brought under his notice, his constituents had never called his attention to this subject.

Mr Peel admitted the candid and becoming manner in which the last speaker had treated the subject, but could not regard his arguments as satisfactory. If the people showed an indifference to religious instruction, this was only an additional reason why it should be placed fully within their reach. The honourable gentleman had stated that no complaints had been made to him on this subject by the people of Westminster; and that, on inquiry, several of the churches and chapels were full, but that others were not so. It might not be improper to ask if those chapels which were not full were those in which free admission was given to the poor. The object of the present measure, was to secure free admission to those who could not afford to pay. The amount of what was done was not so inadequate as had been represented. Making allowance for infants, for the infirm, for dissenters by choice, and other classes, it might be considered enough if provision were made for one-fourth of the population. On this supposition it would be seen that a grant of 500,000*l.* might enable the government to do much good. The population of Manchester amounted to 187,000. The fourth part of them was about 46,929. Now, as of this number 22,468 were at present accommodated,

it followed that but 24,461 remained to be provided for. At Birmingham the population exceeded 100,000 persons. The fourth of these was 25,000. Of that number, 15,000 were already accommodated with the means of obtaining religious instruction, and but 10,000 remained to provide for. At Leeds, the population amounted to 84,000. The fourth part being about 20,000, and 10,000 being now accommodated, it remained to furnish the means of religious instruction according to the principles of the established church to about 10,000 persons more--diminishing thus the three millions of persons wanting religious instruction, it would be seen how important the grant would prove which it was proposed to take. Mr Peel gave several other instances of similar want, and contended that the half million would at all events do more good than could be done by its employment in any other way.

Mr J. Smith conceived that schools would be of more use than churches, that the latter could be built by the people for themselves, everywhere except in Lancashire or some other districts, for supplying which, 100,000*l.*, or at most 150,000*l.*, would be quite sufficient.

Dr Iushington, however, differing here from those with whom he usually voted, took a most decidedly opposite view of the subject. The old laws of the land compelled all classes of the people who professed the religion of the church to attend public worship. How then, he would ask, could they leave the people in their present state, when the poor had no means of complying with the law, and, what was of infinitely more importance, when they had no means of conforming to the first duties of religion? He alluded with particular force to the necessity under which the people were thus placed, of resorting to the meetings of dissenters. It was well known that

the people were assailed in every possible way, in order to make them secede from the worship of the established church. There was a Home Missionary Society established, in which the missionaries were almost exclusively dissenters, and these were finding their way into almost every parish in the kingdom. There was a report from some of the missionaries to whom he had alluded, and it stated the horrible facts, that the boys played against each other at foot-ball on Sundays, were seen in the fields with sticks, went into the river to catch fish with nets, and moreover, the boys and girls assembled together! He objected to the progress of such doctrines by such means, and thought them calculated to deteriorate the British character, and to be productive of infinite misery. No activity on the part of the members of the church could avail, if the people had not the means of attending its worship. He did not think this was a state of things which that House, the large majority of which were of the established church, would wish to see continued. At all events he would do his utmost to change it. He did not approve the system of popular election. It was unbecoming the character of a clergyman to be canvassing votes and soliciting favours as the ground of his elevation to an office whose subsequent duties were of so serious and important a nature. Besides this, he did not think such a mode of appointment calculated to place the most proper persons in such situations. People were often induced to give their votes upon any but the true merits that were required, and many preferred those clergymen who were inclined to send them to the other world with the least scruple. He thought the duty of a clergyman of the church of England was to maintain those doctrines he had sworn to maintain, and to stoop for favours to no



man. He denied that sufficient means of public worship were possessed by the people of Westminster. He lived in Westminster, and (it was a duty to which he cheerfully submitted) he was obliged to pay a considerable sum for seats for his servants.—He would again ask how the poor were to obtain divine worship under such circumstances. He knew, that within a mile of where they sat, there were thousands and tens of thousands who were unable to attend the church for the same reason. At the same time he thought the money might be more economically expended, and more good done with the same amount.

Mr Hume declared that he would not have spoken at all, had he not been roused by the last speech, and by the hon. and learned gentleman calling upon the House to go into a crusade against the dissenters. Did the honourable and learned member mean to deny that these missionaries had done good, or that there was any thing so ridiculous in their wishing to abolish the games he had described, on a Sunday? He had procured an account of the number of places of religious worship, and he found that in 1881 parishes, there were 2533 churches, and that the dissenting places of worship amounted to 3413, being one-third more than those afforded by the church establishment. He contended that election to the churches would greatly improve the state of its members. He thought the revenues of the church were too great; they were larger than those of any other country except Ireland, and they ought to be revised so as to ascertain whether they could not bear the expense of building new churches. The right honourable gentleman opposite said that the people were rich and happy. He denied it, and maintained that the working classes were all in the most extreme state of poverty. They had, therefore,

no right to take this 500,000*l.* from the pockets of the people, because it was a god-send. The honourable and learned gentleman said he wished to give the church fair play. The church could not have fair play, until they put an end to non-residents and pluralities. Its members must have zeal and activity to give it fair play; and he would say, that those who did not choose to have duty, should have no benefice.

Dr Lushington, in reply, disavowed the alleged hostility against dissenters.

Lord Palmerston supported the vote by adverting to the good effects produced by frequenting places of worship. In Scotland, where the lower classes were instructed by their pastors, everything was conducted with decency and order. In Ireland it was quite the reverse. Everything was vicious and lawless, because the minds of children were not impressed with good examples.

Mr Gordon disapproved much of Mr Hume's speech, and declared he had been converted by that of Dr Lushington. He was particularly induced to give his vote from the great exertions used by missionaries to gain proselytes. This was a canting and hypocritical age.—The canting did not come from ministers of the church of England, but from these canting, dissenting missionaries.

Although the opponents of the measure pressed the question to a division, it was carried by the great majority of 89, (148 to 59.)

This did not prevent Mr Hume from recurring to the subject on several future occasions, and even at one time declaring this to be a profligate grant; such as he declared must be an unequal tax, not applied to the general use of the state, but only for the advantage of a few. He found the subsequent divisions, however, still more

unfavourable than the first; and the bill passed through the two Houses without any serious difficulty.

Ministers thought it expedient once more to bring before the House a subject often and warmly debated—the Alien Bill. This being a track so much beaten, we shall only refer to the heads, which relate particularly to its late and present operation.

Mr Peel introduced it on the 23d March, and it may be necessary to begin with giving, from the speech of that gentleman, the following sketch of its provisions. The Alien Act, as passed in 1816, required that a foreigner arriving at a British port should state to the officers of the customs, his name, profession, and the country from which he arrived; and a penalty attended the wilful neglect of these regulations. Upon the propriety of this, there was no difference of opinion. But there were other provisions more important in their nature, and to which objection had been made. The crown, by the present act, was impowered to issue a proclamation, commanding the alien to depart; and in case of his refusing, or wilfully neglecting to do so, he was liable to a month's imprisonment. For a second offence, which of course became aggravated, he was liable to twelve months' imprisonment; that is to say, this was the *maximum* of the punishment to which he was liable. If, however, the Secretary of State had reason to believe that the alien would not obey the proclamation, he had the power, in the first instance, to give him in charge to an officer, in order to his being carried away. After showing the precedents upon which this measure had been founded, Mr Peel remarked on the mildness with which it was enforced. He would refer to the returns before the house, showing the number of aliens sent out of the country within the last ten years, which had been laid before the House

on the motion of a noble lord. From these it appeared, that in ten years only 17 persons had been sent out of the country under this act. Of these, 11 or 12 persons were connected with Buonaparte, and might therefore be considered as sent out under very peculiar circumstances. There were therefore but five or six others in the ten years. In the year 1822, when he, Mr Peel, first entered his present office, there had not been one; and in the year 1823 there was only one. That person, too, was sent out under very extraordinary circumstances. (We believe the right hon. secretary alluded to a person sent out of the country for an attempt to assassinate the Prince Esterhazy.)—Another objection to the act was, that it was liable to be made instrumental to the designs of foreign powers.—The best answer to this argument would be found in the fact, that not one person had ever been rendered an object of this bill at the suggestions of any foreign power.—Not one person has ever been refused admission into this country on account of political opinions in his own. England had opened her ports to men of all countries, and had sustained her high character of affording asylum to the persecuted. The increasing number of aliens showed the little severity with which the act pressed upon them. In 1819, the number had been 20,000; in 1821, it had increased to 24,000; in 1822, to 24,500; in 1823, to 25,000; and in the year 1824, to no less a number than 26,000, being an increase of no less than 1300 in the course of the last year. Upon these facts, he thought he might fairly assume that the act had not deterred aliens from resorting to this country through any terror of being exposed to its powers. He felt the force of the objection, that this measure pressed too indiscriminately upon all aliens, and would propose a remedy for it, which he flattered himself would meet

the approbation of the House. He proposed to exempt from the operation of the act, all who had resided constantly in this country for the space of seven years.—He had reason to believe, that this exemption would apply to no less than 10,000 persons. Mr Peel pointed out the present necessity of continuing this act, in consequence of the number of individuals who sought refuge in this country, in consequence of having been involved in the political agitations of their own. They found in Britain a secure asylum; but they could not be allowed to make this country a theatre for carrying on machinations against their own government. They had hitherto been prevented from doing so, by the mere threat of enforcing this act.

Mr Hobhouse, after taunting Mr Peel on the opposite opinions which he had delivered in 1816, declared his own resolution to oppose this bill in the most determined manner. The right honourable secretary had informed them of the provisions of the bill; but this was unnecessary, for they were known too well. It was not the provisions of the bill, but the bill itself, to which the opponents of it objected. It was a base subserviency to those who had shown themselves unworthy of the success they had enjoyed, and who wanted to make us accomplices in their villainy. The small number of the persons on whom the bill had been enforced, showed, in his opinion, that it was not necessary. As for the hospitality of this country, he had only to refer to the fact, that the refuge which had been refused to the Spanish constitutionalists by one of our colonies, had been afforded them by the Emperor of Morocco. He thought little of the concession of the right honourable gentleman with regard to those who had resided here a certain time, because he objected to the bill altogether;

though it was worthy of remark, that a similar clause, proposed on the last occasion by his honourable and learned friend the member for Knaresborough, had been rejected. The excuse for the bill in 1812 was, that Buonaparte was not fully established in power; in 1814, it was, that the Bourbons were not settled on the throne; in 1816, they were told by the right honourable President of the Board of Control, that the revolutionary devil was not yet laid; and in 1818, a different excuse from all the others was found. In 1820, the late Marquis of Londonderry told them the bill was necessary to guard against the enemies of our own country. But Mr Peel made none of these reasonable grounds for their agreeing to this bill. He told them, that without it foreigners might plot in this country against their own governments abroad. That was his (Mr Hobhouse's) reason for objecting to the bill, for he thought that this country had been too long the accomplice of the Holy Alliance. It appeared to him, that there was an attempt to establish one system of police throughout Europe, of which it was endeavoured to make the right honourable gentleman opposite one of the police runners. If, indeed, England were to go on in this way, it would not be her allies, but herself that would suffer; for no state ever began by compromising its honour, without ending by sacrificing its interests. The opportunity was now arrived for abstracting our neck from the yoke, and why should it be neglected? Whilst the language of liberty was yet spoken in that House, where he hoped it would often be heard from more powerful lips than his own, could the right honourable gentleman be afraid that the allies would upbraid him for giving up the Alien Bill? Did he think they would dare to remonstrate? This great go-

vernment ought, as had been said of Cæsar's wife, to be above suspicion. But this bill tainted both our domestic and foreign policy: the first, as being hostile to those ancient principles of the constitution, that no man should be subject to the arbitrary will of any minister assuming responsibility; and the second, as abetting the policy of the allies, that there should be no resting-place for the soul of a free man. Mr Hobhouse finally moved an amendment, declaring, "That it is the opinion of this House, that the alien bill is a disgrace to the statute-book, and that to renew it for any period whatever, however limited, would be injurious to the character of Englishmen abroad, and destructive of the principles of their constitution at home."

Sir James Mackintosh soon followed on the same side, apologizing, from the state of his health, for introducing his speech at so early a period. Mr Peel had made great use of a figure of speech, called by the ancients euphonismus; in other words, calling bad things by good names. He alluded to the way in which he had described absolute power; and that, in reality, was the question now, for this bill was a bill to confer absolute power, the nature of which was not altered by its being well or ill used. It was, indeed, tedious for him and his friends to maintain a ten years' opposition to this measure, but he should be consoled for all his public labours, by having at length succeeded in withdrawing 10,000 men out of 26,000 out of the reach of absolute authority. There were no precedents for this measure, which might not be equally adduced in favour of general warrants, ship-money, and the most arbitrary of the former proceedings of the English government. Whatever obsolete, superannuated prerogative there might have been discovered in the

mouldering annals of time gone by, for which, as in the case of ship-money, some lawyers were sure to be found ready to obtain the favour of their employers, by finding precedents, it was clear that it had slumbered for 200 years, and would have slumbered for ever but for the introduction of an alien bill. They were told, that for nine years there had been no abuse of the power granted by an alien bill. It was admitted that it was an odious power; and the tendency of such an argument therefore was, to lead a British House of Commons to endure the existence of arbitrary power, provided it had existed for some time without being abused. No one ever doubted that arbitrary power was a very convenient thing; but the tendency of making a display of its conveniences, was to lessen their horror at arbitrary power. In one case they were shown its exercise was convenient; in another, that it was moderately used—till at last they would be brought to think arbitrary power was not so bad as it was described. They ought to object to this bill, not because men had or had not been expelled under it, but simply because men might be expelled under it. He had heard an expression of satisfaction uttered, in consequence of their good fortune in not having experienced any abuse of this power. No nation ever yet tolerated absolute power because it was not ill used, without having their mistake corrected by the severe exercise of it, as Domitian succeeded Trajan, and despotic princes always followed mild ones.

On the other hand, Mr Wynn contended, that this country ought not to allow plots to be carried on in it against foreign governments. The failure of hospitality alluded to by Mr Hobhouse referred, as he supposed, to the fortress of Gibraltar, where it was impossible, with safety, to open

the gates to a great multitude, or allow them to remain longer than was necessary.—Mr William Lamb took a still stronger part. He begged to say to the honourable member for Westminster, that if we were not prepared for war, we were not prepared to abuse, as he had done, the holy alliance. Lamenting as much as he could do the present state of the civil and political liberties of the different states of Europe, he begged to ask, in candour, whether it was the inability or wickedness of ministers that was to blame in the case of Spain; or whether it was not rather the violence and impracticability of the measures of the liberal party in that country? To attempt the relief of the country without a chance of success, was to retard its reformation and injure it. He objected to the great latitude assumed by the honourable member for Westminster in his language, when he spoke upon these subjects. He could see no advantage, for instance, to be gained from the use of the word “tyrants;” that word served no purpose that he knew of in that House—there was no courage in it. The effect of such language was to produce personal irritation in the minds of those who possessed great power. Finding themselves less well used than they deserved, they would begin to care less to deserve good usage. Such language used in that House had the effect of exciting the subjects of different states to insurrection; and he thought the honourable gentleman would do well, before he created such excitements, to consider what assistance he could offer. He would do well to consider whether he could give more than a dinner or two, a violent speech, and a subscription of five or six thousand pounds. With respect to the bill, he repeated what he had on a former occasion said, viz. that in the matter of foreign policy it

was necessary to give a certain degree of credit and confidence to the government who possessed superior means of knowledge with reference to the foreign relations of the country. It was impossible to deny, that there was a disposition in individuals of this country to intermix in the affairs of foreign states. It proceeded, he believed, from the noblest feelings; perhaps they were natural, and perhaps praise-worthy, but not the less dangerous nor the less embarrassing to government.

This speech made a certain stir in the House, and called forth indignant replies from Lord William Russell and Mr C. Hutchinson. The former denied that British speeches and dinners had had any influence in exciting the movements made on the continent in favour of liberty; and the latter was surprised that an honourable gentleman who was a county member, and who, he supposed, called himself an independent one, should have the hardihood to read a lecture to gentlemen in that House, because for years past they had used such language as they could command against that alliance, called holy, which deserved to be execrated and reprobated for its most iniquitous and atrocious conspiracy against the rights of mankind.

Mr Warre and Lord Althorp spoke on the same side, and Mr Peel made a brief use of his liberty of reply; after which the House decided the question, by two divisions, in favour of the bill, of 131 against 70, and of 131 against 73. The House was now, according to its forms, to proceed to the first reading, when Mr Hume, at this unexpected stage, started up, and strenuously opposed the bill, particularly calling upon Mr Canning to state the grounds on which he gave his support to the measure. Mr Canning disclaimed any intention of having spoken, but observed, that the

honourable gentleman had such a "winning way" that he could not refrain from a few words. The tenor of his speech was merely, that he considered the measure necessary under present circumstances, but hoped that necessity would only be temporary. In a subsequent debate, Mr Canning expressed his hope that it would not again require to be renewed. Mr Hume still pressed a division, when the motion was again carried by a similar majority of 129 to 69.

Notwithstanding these majorities, when the third reading took place on the 13th April, a debate of some length ensued, in which Lord Normanby, Colonel Palmer, and Mr Denman strongly impugned the measure. No minister, or member, took the trouble of stepping forward in its defence; and it was finally passed by a majority of 111 to 47.

A considerable interest had been excited in the public by proceedings connected with the Indian press. The first adventurers into that region, solely intent on the means of amassing enormous wealth, had little appetite for any literary or intellectual gratifications. As, however, emigrants multiplied, and their stay in India assumed more of a permanent character, the example of some illustrious individuals kindled a spirit of inquiry, not surpassed at home, and scarcely equalled, unless among the most active intellectual circles. The human mind, once roused to exertion, soon bestirs itself in every direction. From philological and historical research, our countrymen sought to proceed to political inquiry, particularly into the constitution and administration of that singular and anomalous system under which they were governed. A free press, however, in a society composed on one side of a mere army, and on the other of a people subjected to immemorial despotism, and into whose minds such an idea never en-

tered, was certainly a very critical measure. The Marquis of Hastings, however, attempted it. He proclaimed the freedom of publication without previous censorship, accompanied, however, with a series of warnings as to the limits within which this permission was to be exercised. Mr Buckingham, a bold and clever adventurer, immediately availed himself of this permission, and began a journal, which so addressed itself to the newly awakened curiosity of the Indian public, that in a short time it yielded a revenue of 8000*l.* a-year. As it was always found to be the more acceptable and profitable, in proportion as the strictures upon the mighty of the land were more decided and *piquans*, the paper, in spite of repeated warnings from the government-house, assumed always a character more and more offensive to the ruling powers. This state of things came to a crisis, when the marquis left India, and the administration devolved upon Mr Adam, in the interval previous to the arrival of a new governor-general. Mr Buckingham, having then committed an offence supposed to exceed the atrocity of his former misdeeds, was banished from India, on the ground of an old law, which empowered the government to take this step. Mr Arnott, in whose hands he left the journal, and who conducted it in the same spirit, soon experienced a similar treatment; and the whole concern was entirely broken up.

We have no doubt that a free press would be useful in India, as everywhere else, though, at the same time, it would require to be exercised with a peculiar temperance and discretion; and if this was not voluntarily observed by the writer, it might be requisite to make him amenable to very strict laws. Still there can be no freedom of the press whatever, if the offending journalist is subject to any punishment other than legal. Let

the law be as strict and as prompt as may be, but let it be the only instrument of chastisement and repression. The infliction, by the revival of an obsolete law, of banishment and ruin upon the party offending, without form of trial, certainly appears an oppressive measure, and contrary to every principle of the British constitution.

The subject was at present brought before Parliament, only in the shape of a petition from the suffering individual, presented and enforced by Mr Lambton. It stated, that in 1813 Mr Buckingham left England upon a commercial voyage. Having proceeded to Egypt, he made his way on to Bombay, where he was obliged to return to England, because he had no licence from the East India Company in his possession. Having obtained a licence, he returned to India in 1816. In 1818 he was required to join in an expedition devoted to the purposes of the slave-trade, which he declared was repugnant to his feelings. At this period it was that he set up the *Calcutta Journal*, which he did by purchasing the stock of two other papers, at an expense of 3000*l*. This paper he conducted so much to the satisfaction of the English in India, that in a short time the property of it was worth 40,000*l*, and it produced him the yearly income of 8000*l*. The paper had been recognized by various acts of the government of India, one of which was the payment of considerable sums on the score of postage for the circulation of it throughout India. At the period of its establishment there was no such thing as a censorship on the press of India, the Marquis of Hastings having abolished the existing restrictions. The speech of that nobleman, in answer to an address presented to him upon this subject, contained an eulogium upon the freedom of the press, with the expression of a hope that the blessings of

its establishment in India would be known and felt to the farthest bounds of the British empire in that quarter of the globe. There was one thing, the honourable member observed, which might be stated in favour of Mr Buckingham; this was, that during the whole period of his being editor of the *Calcutta Journal*, he was convicted of no libel, public or private. A great change in the state of the press took place upon the departure of the Marquis of Hastings. He was succeeded by Mr Adams, formerly one of the censors of the press, and who performed the functions of the Governor-General until the arrival of his successor from England. One of the first acts of this gentleman had been to reverse all that the Marquis of Hastings had done with reference to the emancipation of the press, and to revive a criminal prosecution against Mr Buckingham, which had been quashed the year before, and which was considered by Sir F. M'Naughten as so cruel and oppressive that he had refused to try it. The licence of Mr Buckingham was annulled, and he was ordered to quit India within two months. Nothing could be more despotic than this treatment. The reason assigned for it, was some severe remarks made by Mr Buckingham upon the appointment of a Dr Bryce, a Presbyterian minister, to supply the government with paper, pens, ink, and various articles of stationery. The appointment appeared to Mr Buckingham as incompatible with the holy calling of the individual; and it was remarkable that it had since been annulled as such by the East India Company, and severe animadversions cast upon Dr Bryce by the General Assembly of Scotland for having accepted the situation. Yet it was for censuring this appointment that Mr Buckingham had been ruined. It might have been expected that Mr Adams would have been satiated with

the ruin of Mr Buckingham; but it was not so—he pursued his hostility to the last remnant of his property. Upon quitting the country, Mr Buckingham had made over his paper to an individual born there, and who, therefore, was not required to have a licence to remain. To meet this difficulty, Mr Adams made a sweeping regulation that all should have licences. By one stroke of the pen he had reversed all that the Marquis of Hastings had established, and considered requisite to the welfare of India. His success in this respect was followed up by another arbitrary act; for he actually prohibited all English subjects from circulating, vending, or even giving away any unauthorized publication. Lord Amherst had also suppressed a work undertaken by Colonel Leycester Stanhope, merely to record the opinion of the Judges. Mr Lambton contended, that the whole of this conduct was marked by wanton and aggravated despotism; and that, if it were passed over in silence, it would be absurd hereafter to talk of the responsibility of the Indian government. He appealed to the House only on the hardship of these individual cases, and not on the general policy or impolicy of a free press in India; a question which he meant to bring before the House in the course of next session.

Mr Wynn would imitate the conduct of the last speaker, in not touching on the general question. Whenever it came before the House, he should be ready to meet it, and maintain that the very principles which made a free press the safeguard of liberty in England, proved it to have a contrary tendency in India. At present the question was before the courts of law, Mr Buckingham having commenced a suit against Mr Adams; and it would be prejudging it for the House, to enter into any discussion.

It was a mistake to represent the proceedings against Mr B. as having commenced upon the departure of the Marquis of Hastings, as Mr B. had been previously five times warned of the danger of his course.

Mr Hume, on the other hand, contended, that the Governor-General had no right to remove an individual but on grounds which he could well justify, and he felt it right to say that Mr Adams' conduct towards Mr Buckingham appeared to him to be marked by premeditated malice. Through Mr Adams, that gentleman had been ruined. He wished to know if the government were to act on one principle by one paper, and on a different principle towards another. One paper had been encouraged to malign Mr Buckingham in the most outrageous manner, and when that gentleman defended himself he was sent out of the country like a felon. He would challenge any individual to go over the files of Mr Buckingham's paper for the four years during which he had conducted it, and defy him to prove that it contained one-hundredth part of the scurrility to be found in *John Bull*—the Indian *John Bull*, he meant. Government, to its credit, had disclaimed any connexion with the *John Bull* in this country; but the Indian *John Bull* had been set up, as he believed, by the Secretary of the Government and Mr Adams, for the purpose of writing Mr Buckingham down. Mr Buckingham had claimed no exemption. He had only claimed to be treated as an Englishman, and to be put on his trial for any offence charged against him. He had been put on his trial and acquitted. He then brought an action against the editor of the *John Bull*, but was prevented from following it up by his removal from India.

Mr Astell, Sir C. Forbes, and Sir F. Burdett, followed on the same side.

Mr Canning undertook formally to



meet the proposition of Mr Lambton. He stated the same reasons as Mr Wynn for not entering into the general question. There might be afterwards room for considering how far the law might be modified; but at present, the governors of India were bound to rule according to that law. If it was faulty, the party to blame consisted, not of the individuals now in the administration of India,—not the East India Company,—not the executive government,—but the legislature who had framed that law, which they deemed necessary for carrying on the government of that great, anomalous, and astonishing empire. Here was a case in which the Governor-General was complained of, because he had acted on a law granted, not in his own behalf, but for the security of India, which prescribed the punishment of sending from India persons guilty of such offences as had been imputed to the present petitioner. An individual complaining of the abuse of the power in question was enabled to seek redress, not before an Indian, but before an English tribunal, and the first steps towards obtaining such redress had, in the present case, been taken by Mr Buckingham. Such being the fact, he would ask with what propriety that House could interfere at present, any more than they could between individual and individual who might have a cause pending before the Court of King's Bench in this country, because a strong *prima facie* case was made out by one of them. Till the proceedings which had commenced should be brought to a conclusion, the House could not, with propriety, interfere. These terminated, the subject would be open for consideration, and he would be ready to give it his best attention. He had certainly manifested much surprise when Lord Amherst was mentioned as he had been on this occasion. When he heard him described to have become a tyrant since he

went to India, he was astonished. From what he knew of that noble lord, he should as soon have expected that through being removed to India, he had become a tyger.—He was surprised at what he had heard, and certainly looked at the statement with the greatest incredulity, but still open to conviction, as he held it to be his duty, in the case of a friend as in the case of an indifferent person—in the case of the highest as in that of the most obscure individual. It seemed to him that a mistake prevailed as to what the conduct of Lord Hastings had been. It was supposed that all the guards of the press had been thrown down by that nobleman—that he had permitted, nay, that he had almost offered prizes to encourage free discussion in India on all the most delicate and dangerous subjects that could be brought into debate. Lord Hastings had done no such thing. He had withdrawn one set of guards, but for these he had substituted another. These were as follows: First, “Editors of newspapers were prohibited from publishing anything under the heads of animadversions on the proceedings of the Hon. Court of Directors, or of any other public body connected with the government of India—disquisitions on the political or local administration, or of offensive remarks on the conduct of members of the council—the judges of the supreme courts, or the Right Rev. Bishop of Calcutta.—Secondly, they were prohibited from publishing anything calculated to create alarm or suspicion among the natives, that government had it in contemplation in any way to interfere with their religion.—Thirdly, they were restrained from reprinting from English newspapers, articles that came under any of the above heads; and, fourthly, they were prohibited from giving publicity to private scandal or remarks on individuals tending to create dissensions in

society." These were the regulations of Lord Hastings. He was not defending or inculcating them, but they were not exactly what they might suppose who represented that noble lord to have made the press "free as air," and to have encouraged free and uncontrolled debate, throughout India.—When it was argued that a free press might do good in India, he should certainly be inclined to say, "give me a free press regulated by Lord Hastings, and there can be nothing to fear from its excessive licence." Great as his attachment might be to liberal principles, when he saw two such men as Lord Wellesley and Lord Hastings concur in thinking some control over the press in India necessary, differing only in degree, he did not say that they must necessarily be right, but this he would say, that the wisest among them might well pause before he pronounced an unqualified condemnation on that which they had approved. When the case which he considered to be pending between Mr Buckingham and Mr Adams should be decided, (when that would be, he could not say,) he would admit the utmost attention ought to be given to some of the subjects which had now been touched upon. He, however, would not consent to discuss it on abstract principles, and with reference to the happy and enlightened state of society in this country, but practically, and with reference to a state of society, not only different, but opposite, where the untrained manners of the natives had only given way to the restraints of a succession of conquerors. With Mr Adams he had no acquaintance, but it would be injustice not to say, that he was a man who had raised himself by the most undoubted merit, acknowledged not only by one avouring superior, but by a succession of distinguished individuals who had witnessed his exertions. He himself could truly say, that in situations of

singular difficulty, Mr Adams had in a great degree distinguished himself by the manliness and integrity of his conduct, which impressed upon him a belief that the leading determination of his mind was to act with honesty and uprightness, cost what it might. He might nevertheless have overstepped his duty—he might have been guilty of violence and oppression. If this were so, the case was in course of being brought to trial before that tribunal which Parliament had appointed to take cognizance of such misdeeds; and if he were guilty, God forbid that he should not be punished; but he thought it would be most improper for that House to step in and prejudge the question to be tried in another place.

Mr Denman observed, that the gentlemen opposite laboured under a false impression, in imagining that proceedings at law were going on. Mr Buckingham had indeed entered into recognizances at Calcutta, and had consulted on the subject, but Mr Denman for one had advised him not to go on, as the remedy held out appeared to him to be merely nominal. Mr Buckingham had given up the idea and would never otherwise have presented the petition to the House.

The debate issued merely in the order being given, that the petition should be printed.

Considerable complaints had been made by the sect of Christians termed Unitarians, that they could not, consistently with their conscience, comply with the marriage-ceremony of the church of England, the forms of which involved the important doctrine on which they differed from that church; yet their marriages could not otherwise be valid.

The Marquis of Lansdowne, on the 2d April, introduced into the House of Lords a bill with a view to their relief. He considered the legislature to have two duties to perform: one a civil,

and the other of a civil and religious nature. The first was to provide effectual checks to prevent the possibility of clandestine marriages; the second, to take care that a contract involving such important consequences to society, should be entered into with a degree of solemnity and publicity calculated to make it most binding and lasting in the eyes of the world. He should be the last man to propose anything tending to shake the security necessary in the one case, or the solidity of the engagement contracted in the other. But when the legislature had done what was requisite to secure these two points, it had done all that public duty required, and it became incumbent upon it to give all members of the community every facility of contracting marriage, with as little hinderance as possible from scruples of conscience. The proposition which he had to submit, was one for allowing the Unitarians to be married, under certain restrictions, in their own chapels, having previously given publicity to their intention by banns, and the payment of fees, in the parish church. He had confined the relief to this class of dissenters in order to admit as little laxity as possible, and because they alone objected on the grounds of scruples of conscience.

The Archbishop of Canterbury believed the scruples entertained by Unitarians to be founded on religious principle, and consequently to be entitled to relief. Now relief could only be given in two ways: either by allowing Unitarians to marry in their own places, or to alter the liturgy so as to remove their objections. To the last he had objected, and still objected, deprecating any alteration of the liturgy for such a purpose. Besides, would it become the church of England to put aside the doctrine of the Trinity, that doctrine on which it was founded, to enable the Unitarians to use its ser-

vices, so mutilated and unhallowed, for the purpose, and to make that church itself a handmaid to dissent? As to the claims of other dissenters, they did not arise from scruples of conscience; they were merely founded on fanciful objections to the forms of the church of England.

The Lord Chancellor, with all his respect for the right rev. prelate, could not go so far as he did. When the preamble spoke of persons entertaining scruples, what did it mean but persons denying the doctrine of the Trinity, that doctrine which was the foundation-stone of the church of England? His lordship did not conceive that the repeal of the act of King William, which inflicted an excess of punishment on those who denied the doctrine of the Trinity, went so far as to render the denial legal. Those who denied that doctrine were directly hostile to the church of England. The Unitarians dissented more than any others from that church; and why, he asked, should not they be separated from the church as much as others? Jews and Quakers had their own forms of marriage; but they were separated from the church. The present was said to be a measure of relief; but if their lordships granted it, he wished to know where they would stop. Were they to be compelled to make the church of England a handmaid to all those who denied its doctrines? He would never consent to any bill that went to make the church the servant of Unitarians.

The Bishop of Chester, notwithstanding what he had heard, rose to express his dissent from the principle of the bill, though no rev. prelate or noble lord present was more friendly to every principle of civil and religious toleration. He had been bred in these principles, and trusted that he should retain them to the end of his days. He thought that the commerce between the creature and Creator should be as free as the

air we breathed, for we were bound to obey God, not man. He trusted, however, that he should be able to prove to their lordships' satisfaction, that the Unitarians did not object to it out of real scruples of conscience. What was it that the Unitarian\* was called upon to subscribe, to declare, or to hear? He was called upon to subscribe his own name. He was besides bound to repeat, "I thee wed," &c. "in the name of the Father, Son, and Holy Ghost." Were not these the words of Scripture? Were they not those of our Saviour himself? The Unitarian had no right to object to them. He might affix to the idea of Father and Son what interpretation he pleased, for nothing was required of him on that head. But what would their lordships say when he should state, that that very appeal to which Unitarians objected in the marriage-ceremony, was used in the form of prayer adopted by themselves? In their baptismal service they said, "I baptize thee in the name of the Father, the Son, and the Holy Spirit." How then could they conscientiously complain at having to say in our churches what they were in the habit of saying in their own? What then had an Unitarian to hear? He had to hear a benediction pronounced upon himself in the name of the Father, the Son, and the Holy Ghost. But if he did not think himself the better for the blessing of our church, he could not possibly be the worse for it. He might affix any meaning which he pleased to it, but he had no just ground of complaint. If there was to be an establishment, it ought to have some peculiar privileges, and the abstraction of the marriage-fees of dissenters would cause a serious diminution of the income, particularly of small livings.

Lord Harrowby, however, urged that though the Unitarians could not object to the mere assumption of the

marriage-ceremony, when the objection was as to the mode of pronouncing the blessing at the conclusion of the ceremony—he thought it not unreasonable for persons who were called upon to invoke "God the Father, God the Son, and God the Holy Ghost," to conceive that by doing so, they gave a sort of implied consent to terms which were opposed to their particular belief, on one of the most interesting occasions of life. Nor did he think that their lordships should inquire whether those scruples had rational grounds. The question was, whether the scruples were *bona fide* felt by those who alleged them, for on that principle the subject ought to be considered. He would not have those things deemed indifferent. Would their lordships, for instance, pronounce a blessing in the name of Mahomet?—[The Lord Chancellor here asked if his lordship would permit the marriage of a Mahometan.]—The noble and learned lord (continued the Earl of Harrowby) asks if I would permit the marriage of a Mahometan; I answer, why not, as well as of a Jew? He thought, with a few amendments, the bill might pass; and the same opinion was expressed by Lord Liverpool.

Lord Calthorpe, though decidedly averse to the views of the sect who now sought relief, yet thought the church of England ought not to offer violence to their consciences. Considering the high respectability of the persons who professed Unitarian doctrines, the church ought not, in his mind, to press on them the rite of marriage. In a higher sense too, namely, that individuals so opposed to him as the parties in question, should not be forced into an alliance; and thinking the doctrine of the Trinity essentially interwoven with the church of England, at the same time that no real or cordial ecclesiastical agreement could take place with persons professing Unitarianism—the church

of England ought to support the present measure. The doctrine of the Trinity she held not as a speculation, but as a principle, and it was due to herself to mark by the adoption of this bill, her total dissent to the opinions of those who denied that doctrine.

The Bishop of London also supported the bill; but the Earl of Westmoreland opposed it, as tending to alter the law of the land, and the establishment of the church.

Under these circumstances, the second reading was carried by the narrow majority of 35 to 33.

This division did not augur very favourably as to the fate of the bill. Accordingly on the 4th May, when it was to be committed, the Bishop of St David's came forward and moved the reading of it that day six months. So pernicious to society, his lordship observed, were the opinions of Unitarians once declared to be by the legislature, that persons professing them were not, till within these few years, even a tolerated party in the state. But being tolerated, their conscience is now made a plea for privilege. And yet we are told by a very high authority, that dissent, seeking for more than toleration, is not conscience, but ambition. If conscience had any share in the objections which Unitarians make to the language of the marriage-service, they must equally object to the Scriptures themselves; for the obnoxious terms are the express words of the New Testament, and are retained by the Unitarians in their translation of that Testament; and, incredible as such inconsistency may appear, they are the very words of their own baptismal office, and are there introduced as the foundation of the Christian faith. The objections which Unitarians make to the doctrine of the Trinity, are objections to doctrines which are essential to Christianity. They deny the divinity of Christ, and

the personality of the Holy Spirit. They hold, therefore, no other belief of the Deity, than what is professed by Deists and Mahometans. Their lordships, therefore, could not consent to the proposed indulgence to conscientious scruples, respecting the doctrine of the Trinity, without being prepared to grant the same, or any other indulgence, to conscientious scruples respecting the truth of Christianity. If Unitarians would at once publicly declare themselves to be what they are, not Christians,—they have the remedy in their own hands, as well as the Jews, and need not come to Parliament for the proposed relief.

The Lord Chancellor as before zealously seconded this view of the subject; and notwithstanding the support not only of Lords Lansdowne and Holland, but of the Archbishop of Canterbury and the Bishop of Exeter, the bill was disposed of according to the amendment proposed by the reverend prelate.

Ministers had early announced an intention to set apart, out of the Austrian *godsend*, a sum sufficient to fit up, in a manner suitable to the dignity of the British crown, Windsor Castle, the favourite mansion of the present, as it had been of the former monarch. Although this had called forth some sallies of dissatisfaction on the part of the popular leaders, there had appeared nothing to make ministers doubt that the nation would be very much disposed to afford such an accommodation to their monarch, who, in point of palaces, was not on a level with other princes of the same rank in Europe.

On the 5th April, the Chancellor of the Exchequer moved for a vote of 150,000*l.*, in part of 300,000*l.*, which was the expected amount of the whole. Every one who knew anything about Windsor Castle, was aware that the apartments were very inconveniently situated towards each other. There was a want of communication between

them, many passages having been cut off, and whole corners removed. This general defect it was proposed to remedy.\* It was also necessary, in particular, that a better communication than the present should be provided between the state apartments and those which were intended for his Majesty's private use. The present mode of communication was highly inconvenient; and this it was obvious should be remedied, it being most desirable that the communication between his Majesty's private apartments and those for public business should be rendered convenient, seeing that the castle was intended to be a place of residence. It was proposed, therefore, that a part of the funds to be now supplied, should be appropriated, in the first instance, towards the embellishment of the state apartments. It might probably also be necessary to make some alterations in the interior of the building; additions having, of late years, been made to it of a nature not at all referable to the age of the building, or its convenience for residence in any respect. It was proposed that some of these unsightly additions should be removed. This building, which was the least consistent it was possible to conceive with the general style of the castle, ran directly across the line of communication from the long walk to the castle, and effectually concealed that venerable pile in that quarter. It was certainly, therefore, necessary that this should be removed; and there were many other buildings in the immediate neighbourhood of the castle which had been built about it, and were so many deformities, without removing which, they really would be doing nothing. There were also houses and property at present occupied, to the purchase of which it was proposed to apply this grant. The same observation would apply to the domain of the park, which was so beset with sundry small pro-

prietors, that it really was possible that the long walk itself would be turned into a street, and then one of the most magnificent avenues in the world would be lost; were matters allowed to remain in the state they were now in, the whole beauty of the place might be sacrificed. The persons who were the owners of these little properties were ready to part with them for a reasonable compensation, and he thought they could not do better than purchase. He might be asked why he had not prepared a plan and estimate of the expense to be incurred; but he put it to the House whether it was so easy under these circumstances to furnish that estimate, where the expense would depend so much upon the understanding they might be able to come to with the parties. Again, any alteration of the interior ought to be well considered before any step was taken; but as the object was to render it a more comfortable residence for his Majesty, it must be obvious that if they did not vote any money before the plans were made out, so considerable a time must elapse, that it was more than probable the session would be ended. Were they to act in that manner, he must say, that they would less consider the comfort of the sovereign than they would their own in a similar undertaking. Although he did not mean to shake off the responsibility of the money, he yet proposed that a commission should be appointed to superintend the disposal of it. The value of such a commission would be, that they would be enabled through it to have the advice of men of competent taste and judgment. He did not know that either himself or his noble friend at the head of the treasury were expected to be *ex officio* expert in matters of taste. Mr Burke was of opinion, that from the necessity of his situation, the head of the British government never could be skilled in

matters of taste; and the experience of last session, with reference to the buildings in the immediate neighbourhood of the House, certainly did not say much for the taste of the treasury. At the same time he must observe, that it was very easy to condemn, but when they came to devise, no two were found to agree. In former times no one ever suspected the executive of taste; and forty years ago the Board of Works conducted everything in its own way, under the admired guidance of Sir William Chambers, who he thought had been much overrated, but who maintained his ground notwithstanding the severe satire with which he was treated by Mason the poet. But in 1802, when money was voted to raise monuments to those who had fallen in the defence of their country, a commission similar to that now contemplated was formed, to recommend to the Treasury the monuments deemed most suitable. This body was fancifully designated the Committee of Taste; but the change for the better, which was visible in the public monuments erected since that period, proved how beneficial their labours had been.

Sir Joseph Yorke, besides his consideration for the public money, thought it would be a very delicate matter to attempt alterations on Windsor Castle, and did not conceive any of those hitherto made had been for the better. From what he had heard of those proposed, particularly the suspension-bridge, it did not appear to him that much good could be expected.—Mr Bankes, however, would ask his gallant friend if he had seen the castle lately, and thought that it was in a state to afford adequate accommodation to the sovereign of this kingdom, either for his residence or for the requisite splendour of his court. With regard to the exterior, whatever was done to that, he hoped would be as

much as possible in keeping with the style of the original building in the time of Edward III.

Mr Hume decidedly objected to the voting so large a sum without a plan and estimate, which he understood would be ready by the 1st of May. Without this precaution, they might expect, some years hence, to be asked, whether, having expended so much, they would proceed no farther. There was no indisposition in that House, he was convinced, to contribute in every respect to the comfort and accommodation of the sovereign; but the question now was, whether that House should engage in any undertaking in which the sum was unknown, the plan was unknown, and the parties were unknown.—Mr Bennet strenuously seconded the motion. The south front of Windsor Castle was the most beautiful specimen of Gothic architecture in the country, and he was afraid that some unhallowed hands would be let loose upon it, such as had been so busily at work from the commencement of the Pavilion at Brighton to the yet unfinished new street. He wished to know what was to become of the building in Windsor Park—was that to be pulled down? Two words would satisfy the House of the danger of entering upon any such engagement without a plan and estimate; these two words were—Caledonian Canal!

Sir Charles Long, in reply, declared that there was no intention whatever to pull down any part of the castle; neither was it in contemplation to alter the south front of the castle. It would be left the same as when built by Edward III., and, as such, he admitted it was a most perfect piece of architecture. He agreed also that the alterations should be kept as much as possible in the taste of the original building. But then it should be recollected, that the nature and origin

of the building were different from its present purposes; it was built as a place of defence, although it was now nothing more than a great dwelling-house. So far, therefore, as was consistent with the modern uses of a castle would the alterations be in the taste of the original design.—The Chancellor of the Exchequer added, that he had no reason to suppose that the expense would exceed 300,000*l*. The architects had been told, that there was so much money for them to effect their arrangements, and that no more could be spared, and he did not know how they could proceed upon a fairer course than this. He had never stated that there was any intention of disfiguring the outside of the castle. It was only intended to pull down those buildings which had been put up to the disfigurement of the original structure, but there was no idea of laying unhallowed hands on the ancient magnificence of the castle.

A desultory conversation followed, in the course of which Mr Bennet complained of the exclusion of the public from the terrace and grounds. It was formerly a most delightful sight to see the Monarch mixing with his subjects, and to witness the joy which his affability inspired.—Mr Canning replied. On a Sunday the terrace was open to the public as formerly. This was not the case in the week; as, if it were, the Royal Family would have no private walk in the vicinity of the castle. For ten years the terrace had been necessarily shut up. The present exclusion was therefore no sudden innovation, but, on the contrary, the partial admission of the public was an innovation.

Ministers finally carried their motion against Mr Hume's amendment, by a majority of 123 to 54.

Amid this general inquiry into the foundation of old practices, and asser-

tion of the rights of mankind in every direction, Mr Hume, on the 10th June, called upon the House to attend to the system of impressment, than which none certainly could involve a greater violation of natural rights, or could less be justified on any plea short of absolute necessity. All that he should now ask, would be for a resolution of the House to inquire into the subject next session, and for certain returns to afford the information which would then become necessary. He contended, that the present system could not be justified, unless it were shown that the very existence of the navy depended upon its continuance. He had no wish to cripple the power of the navy; on the contrary, he thought the changes which might be introduced would increase its power, and the number of volunteer sailors. It was admitted on all sides, that voluntary service was preferable to that which was coerced. He thought he could prove that the system of impressment had done much mischief to the service, by causing it to be viewed with apprehension and dislike. Even should this prove not to be the case, still the House, by inquiry, would be enabled to show that they respected individual rights, and had, at least, attempted to remedy the present admitted evils. A period of peace was the proper time for introducing a substitute; and, in fact, the question, on all former occasions when it was brought forward, had been evaded by deferring its consideration till then. Mr Hume conceived, that the circumstances which rendered the service of the navy so odious, and the reluctance to enter into it great, might be easily removed. These were particularly the practice of flogging, which rendered sailors what might be called white negroes, and the length of time during which they were often without pay when on



foreign stations. Hence the tendency to desert, especially into the navy of America, which had been the cause of our last war with that country; a war which had cost the nation ninety millions of money. He knew it was impossible to assimilate our navy to that of other nations, but something like an approximation might be made with advantage. So long as there were one hundred thousand men in the merchant service, he could not see what difficulty there could be to man the navy without impressment, if adequate inducement were held out. But in the present state of the service no man would voluntarily enter it;—he shunned it as he would his greatest curse. The aggravated sufferings of the unfortunate men who suffered impressment, ought of itself to be sufficient ground for inquiry.

Sir George Cockburn, one of the Lords of the Admiralty, undertook to defend the practice against Mr Hume. He did not mean to deny, that he had much rather man the ships of war without impressment. But, with this feeling, after the best attention he had been able to give the question, he must say, that it was his opinion that they could not do away with what he must call this law, with safety to the country. The authorities of Lords Mansfield and Kenyon might be quoted, to prove its strict conformity to the law of England. It was out of all reason, that more men than were wanted should be afloat; and unless they were to keep the men that would be required in time of peace ready for a war, they could not do without impressment. It was a total mistake to suppose that impressment was carried on during a period of peace. It was never resorted to but in cases of great emergency. It was not fair for the honourable member to speak of the navy in the way he had done, for it was a profession, in spite of what he

said, which had great claims upon that House. So far from there being an aversion to join the king's service, the admiralty had been forced to give the most rigid orders that volunteers should not be taken from the merchant vessels, and it was a most difficult thing to keep the crews of the merchant ships away from the men-of-war on a foreign station. The honourable member objected to captains having the power of flogging; but the honourable member ought to have observed the distinction between having a power and using it. What would be the situation of a few officers over a large body of men, many of them the worst characters, if they had not the power to deter them from offence? But the executive was doing all it could do to check severity in corporal punishment.

Sir Isaac Coffin protested against calling the sailors white negroes. Admiral Mitchell, Admiral Trowbridge, and the celebrated navigator Captain Cook, were all men who had been impressed. For his part, he cared not for the legality of the thing; the navy must be manned, and he would never admit that there was any slavery in obliging a man to wear a good coat on his back, in a belly full of good victuals, and good medicine when he was sick.—Mr Hobhouse replied, he could very well conceive, that a man might have a good coat on his back, good victuals in his belly, and good medicines when he was sick, and yet be the veriest slave alive. The practice was admitted to be productive of great evil, and he, therefore, could see no reasonable objection to an inquiry into it.—Sir George Clerk entered at some length into a defence of the present system. The admiralty had taken especial care to remove and alter those causes of complaint which made seamen unwilling to enter into the navy. They found no disinclination now to

enter the navy, even at a lower rate of wages than they obtained in the merchant service. Impressment had not occurred, during the last ten years. With regard to the difficulty of obtaining pay, it was true there was no possibility of paying seamen on foreign stations; but it ought to be remembered, that the seaman preferred taking his pay in the whack when he came home. He had also the power of letting his relations receive half his pay whilst he was abroad.

After some farther conversation, the motion of Mr Hume was negatived by the large majority of 108 to 38.

On the 1st March, considerable emotion was excited by the complaint of Mr Abercromby, that one of the privileges of the House had been violated in his person, not, as usual, by some petty printer or publisher, but by no less a person than the Lord High Chancellor of England. This had occurred in the course of some strictures which that high dignitary was reported to have made on what fell from Mr Abercromby, on occasion of Mr Williams's motion relative to the Court of Chancery. Mr Abercromby's statement of the affair was as follows:—On Saturday morning, sir, I happened to be in the Court of Exchequer. A person there, with whom I have no intimate acquaintance, but of whose accuracy, as well as of whose character and honour, I have no ground for entertaining the slightest doubt, addressed to me these expressions—he came to me and said, “Mr Abercromby, I have just heard a reference from the Lord Chancellor, to what you said in the House of Commons on Mr. Williams's motion.” I then asked him what it was that the Lord Chancellor had said? He replied, “The Lord Chancellor imputed to you that you had sent forth an utter falsehood to the public.” (Hear, hear, hear.) I asked him if he was sure that

he laboured under no mistake on the subject? His answer was, “Certainly not. The Lord Chancellor referred to a gentleman with a gown on his back, and it could have been only you.” I subsequently saw a gentleman of my own profession, in whose honour and integrity I could implicitly repose faith. I stated to him what I heard. His reply was, “I cannot vouch for the particular expressions, but the statement is substantially true. The only doubt I have respecting it is, if the Lord Chancellor used the words, ‘utter falsehood,’ or the words, ‘another falsehood.’” After an interval of several hours, and when I had had sufficient time for reflection, I went again to the Court of Exchequer, where I saw the same gentleman whom I had seen there before, to whom I addressed these words—“Are you sure that Lord Eldon imputed ‘utter falsehood’ to me?” The answer was: “Of that I have not the smallest doubt.”—“Have you any doubt that those words were intended to apply to the individual who now addresses you?” The reply was clear and explicit: “They could be intended to apply to none but you. The reference was to the debate on Mr Williams's motion. Besides yourself, there were only two individuals with gowns on their backs who took part in that debate—the honourable member for Winchelsea, and the honourable member for Lincoln. But they did not follow the line of argument adverted to by the Lord Chancellor. It is equally obvious that you did; and, therefore, that the observations in question were meant to apply to you.” Mr Abercromby then read a report of some remarks which the Lord Chancellor had made on what had been said in that House by an honourable gentleman, which everybody must know referred to himself. Mr Abercromby had

made certain remarks on a branch of the business in the Court of Chancery. He asserted something in the House, on the accuracy of which he would presently satisfy them. The noble and learned lord, distinctly pointing out the House, and the individual who now addressed them, imputed to him that he sent forth to the public "an utter falsehood." If this, he said, were true, (or, indeed, if it were not true, and he were basely to acquiesce in it without endeavouring to obtain redress for such an extraordinary imputation,) they could not too soon desire the doors of the House to be closed against him; he could not too soon be excluded from a seat in the House, or from the society and station of gentlemen. If, on the contrary, it could be proved that the seat of justice had been degraded by the delivery from it of false statements and assertions; imputing to him opinions and statements which he never uttered nor entertained, and tending to render him an infamous and degraded individual; and if all this can be done without redress, then he would ask, of what use were the privileges of this House, and what must be the condition of every member of the law, who either is at present, or may hereafter be, a member of the House? Even if he had been misinformed in his statements, he would ask, what right had the Lord Chancellor to say it was a falsehood, or to comment at all upon that opinion? He would ask, where does the Lord Chancellor, who is so cautious, find a precedent for this? If it was allowed, the bar would be laid prostrate at the feet of Lord Eldon. The course, he said, which he should first take, would be to call evidence to prove the words of the Lord Chancellor, and then propose farther measures for the consideration of the House. He would move, therefore,

that Mr Farquharson, of 233, Strand, be ordered to attend the House to-morrow.

Mr Canning undertook to parry an investigation, of which the results must have been so awkward and painful. Not an individual in the House could go farther with the honourable gentleman than he did, in his anxiety to justify himself from what he supposed to be an attack on his character. No one could be more ready than he was now, as he had been once before in another place, to say, that in the honourable and learned gentleman's speech, there was no wish displayed by him to go out of the way to utter any personal aspersions. He was not a professional man; he, therefore, could not follow him through all the technicalities of his speech on a former night, nor of his explanation on the present evening; but he had been told, that the report of these proceedings, from which the noble individual had gained his information, was so worded, as to have the effect of conveying sentiments and assertions calculated in a peculiar degree to harrow up the feelings of the noble individual in question. This was a misfortune arising out of a practice now tolerated by Parliament, and which he certainly had no desire to alter; but whilst this was permitted, whilst the charges against individuals made within the walls of the House, were thus sent out to the world, were those individuals, whether high or low, to rest quietly under these charges, without attempting to justify, or set themselves right with the public? Such being the case, was it wonderful that Lord Eldon, conscious of what he had done by a long life of labour for the public, and jealous of fame and reputation dearly earned—was it wonderful that he should endeavour to set himself right in his own Court, and among those with

whom he had been in the habits of passing a long life? He could not but regret, that the reflections of the honourable member had not induced him to take a different course. He was now justified by what had taken place; and he trusted that the honourable gentleman, being satisfied that the observations of the noble lord had been caused by a supposition of that having been said which had not been said, would not now think it necessary to go farther than he had done, and thus enter on a course of which no one could see the end, and which might go much farther than even the honourable gentleman himself could wish. Impressed with an opinion that such might be the result of proceeding, he should oppose the motion.

Mr Brougham observed, that the defence set up for the noble lord consisted of an admission of the whole charge. But besides his honourable and learned friend and the Lord Chancellor, there was a third party to be considered; a party which appeared to have been forgotten by the right honourable Secretary—he meant the House. If the editor of a newspaper after this were to make a comment, or a reporter inaccurately to give the debate of the proceedings, he should like to hear what answer could be made to a defence, if it were similar to what they had just heard. If the motion now before the House were rejected, he really must say, that nothing short of insanity could induce any complaint of breach of privilege. On a former occasion they had sent a printer to Newgate for (he believed) about six months; and in Mr Gale Jones's case (which he always thought a hard one) they had punished him for publishing a placard of a debate at a spouting club. The honourable member asked the House one plain question, how could a barrister stand

up in the honest, conscientious, and fearless discharge of his professional duty before the judge of a court, if that judge were allowed to pass a sentence upon him unheard—a sentence which would deprive him of the fruits of his well, his hard-earned reputation, and close his professional life for ever?

The Solicitor-General said, the report which had appeared in a paper of Mr Abercromby's speech was very incorrect. What the Lord Chancellor had said was not meant as an attack upon Mr Abercromby, or as a breach of the privileges of the House, but merely an abstract vindication of his own conduct, without intending to throw any personal imputation on his honourable and learned friend.

Some further conversation ensued, in which Mr Wynn defended the proceeding of the Lord Chancellor as held only in self defence; while Sir James Mackintosh proclaimed, that the rejection of this motion would be one of the most fatal blows that ever was struck at the privileges of the House, and at the constitution and liberties of the country. The feeling of the House in favour of Mr Abercromby was then pretty strongly evinced by the narrow majority of only 151 to 102, by which the motion was lost.

The business of the session being disposed of at a somewhat earlier period than usual, his Majesty, on the 25th June, presented himself for the purpose of proroguing Parliament. He was met by the following address on the part of the Speaker:—

*" May it please Your Majesty,*

*" We, your Majesty's faithful Commons of the United Kingdom, in Parliament assembled, attend your Majesty with concluding our bill of supply. It was indeed gratifying to learn from your Majesty, at the commencement*

of the session, that the agricultural interest, so deeply important as it is to our national prosperity, but to which Parliament could at any time have afforded but very partial and imperfect relief, was gradually recovering from the depression under which it had so grievously laboured, and we confidently hope that that improvement will be the more substantial and the more satisfactory, because it is gradual, has continued, and still continues.

“ Equally gratifying to us was your Majesty’s declaration, that trade and commerce were extending themselves both at home and abroad, that increased activity pervaded almost all branches of manufacture, and that the growth of the revenue had been such as not only to sustain public credit, but after providing adequately for the services of the year, to leave such a surplus as might be most satisfactorily applied to the reduction of some parts of our system of taxation.

“ Sire, We did not hesitate to make ample provision for the augmentation of our establishment by sea and land, rendered necessary by the distribution of your Majesty’s naval force, and the strengthening of your Majesty’s garrisons in the West Indies.

“ Sire, After providing for the services of this year, it was a most acceptable duty imposed upon us to consider in what manner the reduction of such parts of our taxation could be affected as would be best calculated to infuse fresh life and vigour into important branches of the national industry.

“ Sire, Two courses were obviously open for our consideration, the reduction of direct taxation, or the disencumbering the trade of the country from those restraints and impediments, which are so utterly inconsistent with every enlarged and enlightened principle of trade, and which nothing but the exigencies of the state, or the in-

fancy of trade, could at any time either recommend or justify.

“ Sire, The latter alternative was adopted by your Majesty’s faithful Commons. The field, however, was large before us, and to our exertions there was obviously this limit—the extent to which the revenue would allow of the immediate sacrifice, and the consideration that it would neither be practicable, nor, if practicable, could it be advisable too roughly and too precipitately to break down a system, which, however faulty, had been the growth of ages, and on the existence of which so immense a capital had been invested.

“ Sire, As far, then, as our means would admit, and as far as a due attention to the difficulty and delicacy of a thorough alteration of system would allow, we effected, as we confidently hoped, a vast and permanent advantage to the nation.

“ Sire, In considering the state of Ireland, we have felt it, however painfully and reluctantly, our imperative duty to concur in the re-enactment for another year of the Insurrection Act; not, Sire, deluding ourselves with the vain hope and expectation that such a measure would cure the evils or remedy the grievances with which the disturbed districts of that country are so unfortunately distracted; not, Sire, concealing from ourselves the harshness of the enactment, and the severity of the penalties, or the total unaptness of the law to the first and fundamental principles of the British constitution; much less, Sire, contemplating that such a measure could at any time be proposed as a permanent law for Ireland, but deeply impressed as we are with the emergency of the moment, confident that the existence of such a law restrained the excess of outrage, and believing that it had operated as a protection to the innocent, and even mercy to the guilty;

we have felt, Sire, that the magnitude of the evil, and the experience of the efficacy of this law to mitigate in some degree the extent of the evil, call for and justify its temporary enactment.

"Sire, It would ill become me to enter into detail on the various other subjects which have engrossed our attention, but I may be permitted to express a perfect conviction that your Majesty's faithful Commons, by their anxious deliberations to effect whatever might conduce to the permanent interest of the nation, have entitled themselves to the gracious approbation of your Majesty, to the full and entire confidence of the people."

His Majesty then closed the session with the following gracious speeches :

*" My Lords and Gentlemen,*

"I cannot close this session of Parliament without returning to you my warmest acknowledgments for the diligence and assiduity with which you have applied yourselves to the several objects of public interest that have been submitted to your consideration.

"I deeply regret the painful necessity under which you have found yourselves, of renewing, for a farther period, measures of extraordinary precaution in Ireland.

"I entirely approve of the inquiries which you have thought proper to institute, as to the nature and extent of the evils unhappily existing in the disturbed districts of that country ; and I have no doubt that you will see the expediency of pursuing your inquiries in another session.

"I continue to receive from all foreign powers the strongest assurances of their friendly disposition towards this country, and you may rely on my endeavours being invariably directed to the maintenance of general peace,

and to the protection of the interests and the extension of the commerce of my subjects.

*" Gentlemen of the House of Commons,*

"I thank you for the supplies which you have provided for the service of the present year, and especially for the grants which you have so liberally made in furtherance of the interests of religion, and in support of the splendour of the crown.

"I am fully sensible of the advantages which may be expected to arise from the relief you have afforded to some of the most important branches of the national industry.

*" My Lords and Gentlemen,*

"I have the greatest satisfaction in repeating to you my congratulations upon the general and increasing prosperity of the country.

"I am persuaded that you will carry with you into your respective counties the same spirit of harmony which has distinguished your deliberations during the present session ; and that you will cultivate among all classes of my subjects those feelings of content and of attachment to the constitution, upon the continuance and diffusion of which, under Providence, mainly depends, not only individual happiness, but the high station which this kingdom holds among the nations of the world."

Then the Lord Chancellor, by his Majesty's command, said,—

*" My Lords and Gentlemen,*

"It is his Majesty's will and pleasure that this Parliament be prorogued to Tuesday the twenty-fourth day of August next, to be then here holden ; and this Parliament is accordingly prorogued to Tuesday the twenty-fourth day of August next."

## CHAP. IX.

## FRANCE.

*State of the Public Mind.—Elections.—Meeting of the Chambers.—Law for the Reduction of Interest on the Public Debt—Rejected by the Peers—Important Effects.—Law of Septennial Election.—New Mode of Recruiting the Army.—Minor Proceedings.—Prosecutions against the Journals.—Revival of the Censorship.—Death of the King.—Accession of Charles X.—His first Measures.*

FRANCE opened the present year in a peaceful, and what she might consider as a triumphant, attitude. Spain lay beneath her, prostrate and undone; and it was only in virtue of a forbearance, founded upon high monarchical principles, that she did not entirely dictate laws to that unfortunate country. The French government boasted, that through the easy triumph which they had achieved by means of treachery and disunion among the Spanish people, they had restored the glory of France, and crowned her arms with a lustre equal to that which had encircled the imperial standard. In fact, in the eyes of a vain people, this show of a conquest obliterated the base and tyrannical grounds on which it had been undertaken, and rendered the present government decisively popular. Ministers, meantime, made no secret, that they considered the campaign in Spain as only preliminary to a more important internal campaign, which, if waged with success, was to strengthen all the bases of the monarchy; in other words, was to replace

France nearly in the same situation as before the Revolution, and render the Chambers little more than a tool in the hands of the executive. The first step towards this result, was to dissolve the present Chamber of Deputies, preparatory to the election of another, which, in the present state of popular feeling and ministerial influence, would, it was confidently expected, prove entirely devoted to the crown. The first use to be made of its subserviency was to induce it to grant a copious indemnity to the emigrants, which might restore to the ancient nobility of France a large portion of its lustre. The chamber was then to extend its own duration to seven years; to be renewed at the end of that time by general election, instead of the present system of the members sitting for five years, and a fifth of their number being annually re-elected. These measures, and especially the last, would not, in our apprehension, have been in themselves very disastrous to the cause of liberty. But it was scarcely concealed, that during the long currency

of a Chamber, thus devoted to the views of the monarchy, care would be taken that the constitution, and the mode of election, should be moulded into such a shape, as to obviate all danger of a Chamber of a more refractory character being ever elected.

The contest in which the French ministry had thus embarked, though it less attracted the attention of mankind, was perhaps of deeper importance to France, and even to Europe, than the military campaign with which they had opened the preceding year. It was not only the liberties of the thirty millions of people contained in France itself that were to be decided by it. This kingdom occupies so central a position, and is so predominant as to power and influence among the states of Western Europe, that the latter must ultimately follow its lead; and the yoke of military despotism, under which the finest of them were now held, could never be securely fixed, while there remained any chance that principles at all liberal should ever gain the ascendancy in the French administration.

The first operation of the present year consisted in the elections; and these were opened by ministry with every confidence of success. According to the theory of French election, the crown ought to have less influence than in Britain. There are no treasury boroughs, nor close boroughs of any description; none which can be purchased by money, or negotiated through the medium of a single individual. The French electoral colleges comprise a considerable number of individuals, and those possessed of some property. Yet the French ministry possesses, or at least exerts, means of influence still more extensive than that of England. In consequence of the high property qualification required in electors, and of the general mediocrity of fortune produced by the French law of inheritance, the number of electors does not reach

100,000; while, in the departmental colleges, where a much higher qualification is required, nearly half the chamber is elected by about 3000. The French constitution also wants that safeguard which the English has provided, of rendering those holding office under government incapable of voting at elections. In consequence also of the general smallness of fortunes in France, the proportion of persons deriving from this source the required amount of property, is peculiarly great. Perhaps they, with their immediate families and dependants, may form a tenth of the whole number of voters. With regard to them, as well as to all the other classes, the influence of the crown is exercised to an open and unblushing extent, quite foreign to British ideas. The preliminary step is to issue to all under the influence of the crown, not a request, but a mandate, to vote for the candidate whom the government intends to support. Should this fail of being obeyed, deprivation of office is immediately inflicted on even the highest functionaries; and dismissal from the service in military officers, the most distinguished for rank and services. The charges of this nature made in the Chambers being answered only by recrimination, clearly involve the admission of their truth. It may be added, that licences are required for many more trades than in Britain—are viewed much more in a political light—and the threat of refusing or recalling them, employed without scruple, as an electioneering engine. Finally, in all cases of disputed vote or election, the judgment, in the first instance, is given by the Prefect of the district, an officer appointed, and removable, by the crown; and though there be an appeal from his sentence, it is tedious and uncertain; so that in all cases which run very near, he has little difficulty in casting the balance. All these motives and means of influence, however, would not probably



have been sufficient to stem the tide of any decidedly hostile feeling on the part of the nation. But at this time, that feeling, as already observed, was altogether favourable to the Bourbons. The faint revival of that military glory which Napoleon had thrown around the empire, and which had suffered so dark an eclipse, had intoxicated a vain people, and given for the moment a most decided popularity to the present administration. This state of public opinion obviously appeared, when, at the meeting of the Chambers, even the most determined of the liberal party durst no longer impeach the principle of the Spanish war, and were reduced merely to criticize the details of its management and expenditure.

Under these circumstances, the result of the elections was a complete triumph of ministry. The discomfiture of the liberal party was utter; for out of the whole number of four hundred and thirty members, they were unable to muster more than sixteen. Several even of their chiefs could not obtain a place; among whom were Manuel and La Fayette, supposed to carry the principles of their sect to the greatest extreme. So far, therefore, as related to votes or direct influence, the liberal interest might be considered as annihilated in the Chambers. All they could now do was to act upon public opinion by the speeches of their orators; the principal of whom, Foy, Girardin, &c. still maintained their seats. An exclusion so total was no doubt perilous to the balance of the constitution; at the same time, it was not altogether unmerited on their part. We allude not particularly here to the bold and republican doctrines which they sometimes broached. A turbulent and dangerous spirit appears more particularly to have been marked by the course of successive and systematic refusal to vote, by which they renounced their regular and legitimate influence in the Chamber, in

order to appeal to the nation, and invite on its part a forcible and tumultuous interference.

There was another party, however, who almost equally opposed ministry, but in an entirely different direction. These were the ultras, who boasted that they alone entertained any due reverence for the rights of the crown and the cause of monarchy, which ministers were represented as either deserting altogether, or supporting only in a timid and temporizing manner. Ministers professed a deep respect for this party, and denied any radical difference of opinion. Although, therefore, it was well known that the exclusion of its members was desired, neither threats nor open influence were employed to bring about that issue. The consequence was, that though matters went comparatively hard against them, and Delalot, one of their most leading members, was excluded, they were yet returned in considerable force, and formed nearly the only check upon ministerial despotism. No opposition, however, was apprehended on their part to the grand measures of the session—indemnity to the emigrants, and the extension of the sittings of the Chambers.

The minister, having thus secured a lower Chamber entirely subservient to his views, had probably little apprehension from the Upper Chamber, composed of individuals nominated by the King, and among whom the purest principles of monarchy were understood to prevail. He turned his attention then to another branch—the state of the periodical press. Restraints upon the press, however desirable to those in the possession of power, are always and almost equally odious to every other party. The present ministry, amid their high profession of royalty, had come in on the express basis of allowing a certain latitude of political discussion. It was by uniting with the liberals against De Cazes's plan of rendering the cen-

worship permanent, that they overthrew that measure, and with it his administration. As soon, however, as they found themselves seated in the place of their predecessors, the same spirit took possession of them. Their zeal for free discussion suddenly cooled, and they applied themselves to put together a measure which, without absolutely forfeiting the solemn pledge under which they had entered office, might render the fulfilment of it as little annoying as possible. They framed a law, relieving the journals, indeed, from that previous censorship, which was absolutely incompatible with any independent political existence. It limited the permission, however, to the journals actually existing, and prohibited the commencement of any new one, without the express authority of government; consequently, there could never be a new journal established, unless on the ministerial side. Thus, provided ministers could get rid of the opposition journals already existing, they would be entire masters of the periodical press. A means of effecting this object also was opened by the clause, in virtue of which three successful prosecutions were to involve the suppression of the journal against which verdicts had been obtained. As these verdicts were given, not by popular juries, but by judges appointed, though not removable, by the crown, and deeply imbued with royalist ideas, there could be little fear, that in process of time, provided the crown were active in prosecuting, it would obtain such a number of decisions as would lead to the desired issue.

Although ministers had thus in their hands the means of subverting entirely the liberty of the periodical press, it was some time before they brought these means into action. The odium attendant on suppressing one of the favourite enjoyments of a people intent on political discussion, and the implied confession that their measures could not stand

such discussion, probably made any violent measure be felt as more disadvantageous to their interests, than even the attacks to which its omission left them exposed. As, however, the determination was formed to rule on principles more and more despotic, and to admit of nothing which could thwart the movement of the executive, Monsieur Villele formed a plan, by quiet and under-hand means, to extinguish, or bring over, all the journals hostile to his interest. As most of the newspapers were conducted upon commercial motives, the minister of finance seemed to possess the means of administering to them a *quietus*, quite as effectual as the decision of a court of justice. The influence of the members of the Royal Family might be employed upon such as professed peculiar zeal in royalist principle; while the hand of power might be kept in reserve to crush the few or solitary examples of resistance to these potent arguments. Under these views, a series of negotiations and proceedings was opened, the success of which appeared to be almost infallible.

In consequence of the time consumed in the elections, the session of the Chambers was not opened till the 23d of March. The King, in his opening speech, did not blush to make the most unqualified boasts as to the success of the war in Spain. "The most generous, as well as the most just of enterprises has been crowned with the most complete success. France, tranquil at home, has nothing more to fear from the state of the peninsula. Spain, restored to her king, is reconciled with the rest of Europe. This triumph, which presents such sure guarantees to social order, is due to the discipline and bravery of a French army, commanded by my son, with as much valour as wisdom." If we may trust the ministerial papers, these words were followed by a unanimous display of enthusiasm, and

by cries of "*Vive le Roi ! Vive le Duc D'Angouleme !*" repeated for several minutes. The King then proceeded to declare his attachment to the Chamber, but at the same time the necessity of its being subjected to some modifying regulation. "Repose and fixity," said he, "are, after long agitation, objects of the first necessity to France. The present mode of renewing the Chamber does not attain this end ; a project will be presented to you, to substitute in its place a *septennial* renewal." It was then stated, that the short duration of the war, with the prosperous state of the finances, would enable all expenses to be covered, without either new tax or new loan. The flourishing state of agriculture and industry was then alluded to ; after which, the most critical measure of the session was hinted at in the following terms :—"Measures are taken to secure the repayment of the capital of the debts incurred (*rentes créés*) by the state in times less prosperous, or to obtain their conversion into stocks, (*titres*), of which the interest may be more conformable to that of other transactions. This operation would afford the means of reducing the forces, and *closing the last wounds of the revolution*." These statements drew from the House very strong marks of curiosity and emotion, the prelude of the stormy discussions which were to ensue on this subject.

On the subject of foreign relations, the King assured the Chamber of the union which existed between him and his allies, and of his confidence in the long duration of peace. "I have the hope," said he, "that the affairs of the East, and those of Spanish and Portuguese America, will be regulated for the greatest advantage of states, and the most ample development of the commercial relations of the world."

The addresses were in a style of unqualified adulation, which had not perhaps so much meaning as the sound

would imply to a British ear. The Peers were impatient to lay at the foot of the throne the accustomed homage of their veneration, their devotion, and their love—the Commons bestowed only their veneration. The war in Spain, as might too well have been expected, was the theme of unbounded panegyric. "Never," said the Peers, "was triumph more complete ; never enterprize so glorious, completed in so short a time, has done more good to the world, nor more honour to humanity. We have seen the French soldiers, by the wise firmness of the hero who conducted them to victory, join to their accustomed valour a discipline which has been the admiration of Europe. Glory to the prince, who has shown himself so worthy of being called your son—glory to the army, which has shown itself so worthy of its leader !" The Deputies equally gloried in "revolution pursued and vanquished in its last refuge—a captive king replaced on his throne—a generous nation restored to religion, to its prince, and its laws." It is remarkable that, in regard to the financial operation, with which the session was to open, and which we shall presently notice, the Peers express themselves in terms of much stronger approbation than the Deputies, who merely engage to bestow upon it their most serious consideration. The issue may inspire a somewhat serious doubt, whether there was any sincerity at all in those declarations.

The septennial law, and one for altering the mode of recruiting the army, were introduced first into the Chamber of Peers. The one, however, which formed, as it were, the basis of that series of measures by which the session was to be marked, was moved by M. Villele in the Chamber of Deputies. To cover the expenses of the war in Spain, which amounted to nearly ten millions, and at the same time to provide the projected indemnity for emigrant pro-

prietors—and all this without the odious expedient of imposing new taxes on a burdened nation—these were problems which fully set the ministers' invention on the rack. One expedient was found, by which a large sum of money might be put into his hands, and these purposes be answered. The public debt of France bore the interest of five per cent, while in the present state of superabundant money and established national credit, the mighty capitalists of London and Paris were ready to furnish funds to any amount at four per cent. An obstacle was, indeed, presented by the form into which the French public debt had been thrown. It derives its denomination not from the capital borrowed or stipulated to be replaced, but from the *rentes* or annual payments made to the creditors, who contended that these *rentes*, amounting to 197,000,000 francs, (8,200,000*l.*) were perpetual annuities, without reference to any capital, and which could never be reduced. The minister, on the contrary, maintained that these annuities were essentially redeemable, and could never have been supposed to be otherwise; and that the words "at five per cent," marked at the head of the obligation, clearly implied reference to a capital, and afforded an easy means of fixing its amount. A considerable proportion, however, of these *rentes* having been granted, not in consideration of any loan, but as a donation for the support of the clergy, charitable institutions, and other public objects, were not considered subject to reduction. The residue, upon which the operation was to be made, amounted to 140 millions of francs, (5,730,000*l.*) A reduction of one-fifth upon this sum produced 28,000,000 fr. (1,192,000*l.*) which, converted into capital at 4 per cent, would yield a sum sufficient to cover even those extensive operations contemplated by the French ministry. Another operation was resorted to, in order to render the transaction still

more immediately advantageous. Instead of simply changing the interest from 5 to 4, the holders were to receive for every 75*l.* now held, 100*l.* at 3 per cent; by which augmentation of the capital they received the same interest as if they had held the original 100 at 4. They were thus secured against the speedy occurrence of a similar reduction, in consequence of the continued fall of interest; and greater scope was afforded for the future rise of the stock, and for its being advantageously disposed of.

In taking a survey of this plan, it seems undeniable, provided we get rid of the legal objections arising from the form and mode of the obligation, that ministers had a full right, and that it was manifestly eligible, to reduce the interest on the national debt to the rate now current in all other instances. This applies to the simple reduction from 5 to 4. With regard to the manœuvre of an enlarged nominal capital bearing 3 per cent, this was a more equivocal measure. It was on this principle that Mr Pitt funded all his loans at 3 per cent, and obtained thus more advantageous immediate terms, but at the expense of rendering the discharge of the debt more difficult and costly. This is the system which Dr Hamilton, in his able work on the National Debt, has so strongly reprobated; more strongly, we think, than there are absolute grounds for; but still it seems only justifiable in a period of pressure and difficulty; not in one so prosperous as that under which the French government now acted.

The law was introduced into the Deputies by M. Villele, on the 5th of April, and a committee was appointed, which, on the 18th, gave in its report, which was entirely in favour of the measure. The question of right was declared incapable of becoming the subject of serious discussion. This right would undoubtedly exist in case of a

similar contract between individuals, and when government makes transactions with private persons, similar to those which they make with each other, it comes under the same law. There had, besides, in the transactions of government, been repeated stipulations to this effect, particularly in all those which had been contracted since the restoration. A claim was advanced in favour of those who, by the arbitrary operation of 1797, had their capital reduced by a third. It was painful to argue against misfortune; but most of these old funds had changed hands; most even had been bought up at a very low price before the measure in question. To find out now the real creditors, would involve the Chamber in a labyrinth of endless researches and dangerous recriminations. The individual losses caused by the revolution, might be estimated at eight or nine thousand millions of livres, three times the capital of the debt; upon such transactions it was impossible to go back. The state made no claim in its own favour, on account of the low rates, varying from 50 to 88 per cent, at which the greater part of its debts had been contracted.

It had been a serious question, whether relief could not be afforded to the class who subsisted on the produce of small *rentes*, and who, by the reduction of a fifth, would be reduced to very straitened circumstances. The committee were deterred, however, by the difficulty of fixing a limit, and by the opening afforded for fraud on the part of the great holders, who might easily make a nominal division of their interests. Besides, the claim could be good only in the case of those who derived the whole, or nearly the whole, of their income from this source. To ascertain this point, however, would lead to interminable investigations, and open the way for the most serious abuses. The committee, therefore, had been obliged,

with reluctance, to abandon the design of soliciting any modification of this nature.

The committee did not deem it necessary to dwell for a moment on the question, whether the proposed plan was advantageous? An annual reduction of twenty-eight or thirty millions on the public burthens was a benefit quite incontestable. Its practicability had appeared somewhat more questionable, and on this point they had solicited explanations from the minister of finance. He had given them all that were compatible with the secrecy necessary in such transactions, and had shown them that the company concerned, by itself and by the immense credit of the bankers which composed it, could dispose of a mass of capital, superior to what could be required even under the least favourable probabilities. The committee proceeded finally to consider the obstacles to repayment, produced by the augmentation of the capital of the debt. This they endeavoured to obviate, by observing, that the operation of the sinking-fund in buying up stocks, had no reference to the capital, but only to the annual sum paid. The addition of 25 to the capital of 75, and of 33 to the capital of 100, implied merely that the state sacrificed to its creditors the power of repaying their capital, for all the period during which the interests were falling from 4 to 3 per cent; in other words, it renounced the power of reducing a second fifth upon the interest of the debt. In short, it was concluded, that in the immediate saving of twenty-eight millions, the state found a full indemnification for distant and problematical losses.

It was at first moved from the right, that the discussion should begin on Tuesday the 20th, this being Saturday; but on the remonstrance of De la Bourdonnaye and Casimir Perrier, that this interval afforded no sufficient time for

maturely considering the subject, it was carried that it should be delayed till Saturday se'nnight, the 24th.

On that day, La Bourdonnaye, from the high royalist side, took the lead against the law. He declared, that he would readily subscribe to a reduction of interest, if it were regularly established by the force of events. But the present was the result of a forced operation on the part of ministry, the means and instruments of which were withheld from the knowledge of the public. He was astonished that ministry should have withheld from the committee the agreement concluded with the bankers, and still more astonished and grieved, that a body invested with such high functions, should have ventured to recommend such an important measure to the Chamber, in the absence of all necessary information. Yet it was generally believed, that the document was not unknown to the reporter of the committee, and what must they then think of the weight of the reasons which induced him to conceal it. What immense responsibility would rest on the Chamber, if they voted a measure buried in such profound mystery, and all means of examining which were so studiously withheld from them. There was no proof of the assertion, that unless from the foresight of the present operation, the current price of the *rentes* would have been now at 125, and even if the madness of jobbing should have raised them to that rate, it was not upon a paroxysm of fever, that we were to found an operation which was to occasion the ruin of a hundred thousand families. The present measure was, in fact, bankruptcy by a fifth part. It might suit an improvident government, revelling in the present possession of power, but it could never be avowed by a legitimate authority. This was not an age, when judgment is pronounced on all the acts of power, that royalty, shaken by thirty years of revolution,

could without danger excite discontent in five hundred thousand faithful subjects, by stripping of their incomes a hundred thousand heads of families. He then referred to the speech of M. Corvetto, minister of finance in 1817, who had stated, that in the loan then to be contracted, "the first of all conditions would be, that in engaging to pay only simple interests, they would never give any capital." He had then endeavoured to show the advantage of redeeming the debt, rather by buying up the *rentes*, than by replacing the capital. Was it at the moment when the Chamber still resounded with the words, "No capital will ever be given," that you could without injustice force the creditors of the state to receive this very capital? Was it to the generation which heard these words, the generation which gave up its funds on this guarantee, that government could come and say, "We owe you the capital only, and not the full *rente*?" This generation had witnessed the reduction of the debt to a third, and had read in that law of spoliation, that this third should never be reduced. This generation had heard the legislator of the charter, and his august family, pronounce that solemn oath, by which the public debt was guaranteed, and every engagement taken by the state, with its creditors, declared inviolable. The speaker then referred to the sacrifices formerly made to support public credit, "that foundation of the power of modern nations, and instrument of public prosperity. You have acquitted, to the last fraction, criminal and extortionable loans, the debts of the revolution, the republic, and the empire; and you would not pay entire the debts of the legitimate monarchy. You have acquitted the arrear of all the most guilty services; you pay still the price of the blood of your kings, in pensions obtained by this only title; and you could refuse to acquit entire annuities, sold to purchase

back the throne of the Bourbons, and the independence of your country." The orator trusted, that the Chambers would repel a law ruinous to one class of citizens, and without any real advantage to the state, since it diminished the annual burdens only by accumulating them as capital, and by adding to our national debt, the extinction of which would become continually more slow and more costly.

M. Humann, though in general on the side of opposition, supported ministry in the present question. One of the most extraordinary spectacles of the present age, appeared to him to be the fortune of France continually increasing in proportion to the increase of its expenditure. Imposts, which would have appeared fabulous to our ancestors, were voluntarily agreed to, and paid without a murmur; budgets of a thousand millions acquitted without embarrassment, distant and expensive wars carried on almost without the knowledge of the contributors. The cause of this prodigy was the measure of national liberty which we enjoyed, and it ought to induce the governments which now reaped the benefits of this liberty, not to be ungrateful towards it, and to preserve it from ruin. The law now proposed, was an incontestable proof of this high prosperity of the finances, and as such, would be one of the greatest events of the restoration. The measure appeared to him both legal and equitable. It assured to all the creditors who had purchased *rentes* below par, a sum much superior to that which they had expended. On the other hand, it was incontestable, that all who, since the formation of the Great Book, had purchased *rentes* and preserved them, had long enjoyed an income superior to that derived from any other employment of money. It was therefore a gain to them to be reimbursed at five per cent. They could not, indeed, obtain elsewhere more than

three per cent; but was the treasury bound to make itself a bank of deposit? Would they have fared better had there been no public funds, and had their money been employed in any of the trades, the profits on all which had been so remarkably lowered. He was aware, that some interests were injured, but the interest of the greater number must be always preferred to that of the smaller,—public to private interest. He did not, however, approve of many of the details; he thought the measure ought to have been made more gradual, and that the reduction should have been simply from five to four per cent, with the same capital; not to three, with augmented capital.

After a speech from M. Ricard, who followed in the steps of La Bourdonnaye, a strong sensation was excited by M. Villele himself rising. He entered into a number of minute and technical details, relative to the operation, particularly defending the conversion into three per cent, and the augmentation of the capital. He summed up the benefits of the measure by observing, that it extinguished clearly and honourably twenty-eight millions of annual burdens, by a simple and just operation, useful to public credit, dictated by the actual state of our finances, and of which the example had been given by the neighbouring states. England herself, in the first conversions operated on the funds created by her, had made use of means nearly analogous to those upon which the present operation was founded. It was Holland, where the rate of interest was the lowest, which had furnished her with the necessary capital. At present she could supply all her own wants, and could even reduce her 4 per cents to 3½, without a premium.

M. Villele proceeded then to consider, whether there was any other means of raising the necessary funds. There appeared none, except the diversion of

the sinking-fund from its present object; but it was not difficult to show, that such a measure would be equally unfair and inexpedient. It remained only to consider the conditions which had been obtained from the contractors. The conditions had been, that they should enjoy the annual profit of 28 millions for fifteen months; that is 35 millions, (nearly 1,500,000*l.* sterling,) in all. It had been impossible to effect the operation, without having recourse to the largest possible union of the capitalists of Europe. These financial companies had calculated their advances, their risks, and had set a price upon them, and the question was, if this price was duly proportioned to the service. After a due consideration of all the circumstances, the terms had appeared to the French ministry to be such as could not be refused. M. Villele had pleaded too long, with the heads of the companies, the opposite cause to that which he now defended, not to have considered the question under every point of view. It was not without infinite difficulty, that he had prevailed on the bankers to encounter at this rate all the costs, all the risks, all the eventualities of reimbursement, which the operation involved. No better terms could be got; it was necessary at this price to accept or to refuse one of the operations best calculated to secure the credit, the wealth, and the prosperity of the country. It did not appear possible to hesitate.

After a number of other speeches, on which our limits do not permit us to enter, M. Girardin rose in the room of General Foy, detained at home by severe illness. He began with very broad assertions respecting the unpopularity of the measure. Those whom he addressed would agree with him, he believed, that the measure was generally disapproved of; it was equally so by persons whose opinions were the most opposite, by journals of every com-

plexion, by all writers, constitutional or otherwise; in short, by all those to whom it was not to be profitable. He dwelt particularly on the refusal of the ministry to disclose the means by which such a colossal operation was to be effected, and the expectation of the minister, that they should be left entirely to his discretion. M. Villele was ready to take upon himself all the responsibility; but what availed this responsibility to the immense mass of fund-holders, of whom some would lose part of their income, and others would risk perhaps their capital itself. All the risk would be, to see him lose his title of president of the council, and the portfolio of finance, and retire perhaps with the brevet of minister of state, and a pension paid by themselves. But even if his disgrace was more complete, it would not repair the evils they suffered, nor would it hinder the name of M. Villele from being henceforth inseparable from that of the Abbe Terray, (*murmurs.*)

In considering the effects of the measure, the speaker observed, that it would press with peculiar weight on the capital, on the class the most numerous, the most interesting, that of old traders and artizans, retired from business, venerable domestics, and other individuals in narrow circumstances. The view of their distress would cause a strong sensation, and many would say, "Such is the result you might have expected." A shock would thus be given to the credit of the public funds, and perhaps some violent ebullition might ensue.

M. Girardin, in referring to the object of this measure, which was the indemnification of the emigrant proprietors, indulged a sally in favour of the revolution, which called forth strong marks of reprobation from the right side. "I have been," said he, "witness and victim of the excesses of the revolution; I have lost part of my fortune, and been thrown into prison. The



excesses of the revolution have conducted to the scaffold my relations and friends. But if we own the evils of the revolution, let us not deny its benefits ; its benefits are, equality in the eye of the law, the equal division of taxes, the free vote for constituents, individual liberty, that of the press, that palladium of our liberties, and the abolition of privileges. In a word, they *are*, or rather they *were*, in the charter."

M. Corbiere now rose on the part of ministry, and observed, that if it had not been a truth long demonstrated, that men in office may often be the object of great injustice, a new proof would now have been given of it. The violent and personal attacks made by the last speaker, appeared to him to pass the prescribed bounds, and to be properly called insults. He undertook to prove, that they were wholly unfounded. In the case both of individuals and of the state, there were only three kinds of debt. 1. Exigible debt, about which there was no question at present. 2. Annuity, also out of the question. 3. Perpetual debt. Now, in every legislation, whether political or civil, perpetual debt has been constantly defined that debt of which the creditor cannot exact the repayment, but which the debtor may offer to repay when he pleases. Never, in any legislation, was there the assignment of a perpetual annuity, without permission to redeem it. The creditors of the state are under the common law ; no creditor can exact the repayment of such a debt, unless, on the foreseen case of unexecuted engagements, the contract is dissolved ; the debtor, on the contrary, can always set himself free when he has the power and the will. Such is the essence of the contract. In regard to the expressions of the minister of finance in 1817, to which M. de la Bourdonnaye had referred, their scope was entirely different from what he had represented. The objection

made to his operation was, that he would borrow at 50 per cent, and would be obliged to pay at double that rate. He answered, " The state will never be obliged to repay." These were the very words reported in the *Moniteur* of the 13th of February, 1817. The orator concluded by observing, that the measure now proposed was that which would be adopted by the father of a family, burdened with debts bearing a heavy interest, and which he could find means of paying off by borrowing at a lower rate.

M. Berthier, without absolutely disputing the justice of the measure, thought it severe and inexpedient. " It affects," said he, " in a sensible manner, the fortune of the proprietors of public funds ; it is burdensome to the state, by augmenting the capital of its debt ; it is unfavourable to property, whose revenues it would diminish ; it is advantageous only to speculators, to whom it promises immense profits in future, and even profits already made ; lastly, it will give a new development to speculation in the funds, one of the wounds of the state and of public morals."—Mechin also gave the following view of it :—" The fortune of the possessors of *rentes* is about to be diminished by 28 millions of revenue, and 560 millions of capital. The debt of the state is to be increased by 933 millions. Surely, gentlemen, it requires peculiar art, a talent almost magical, to convince us, that such a result is conducive at once to individual and general interest."

The debate having now been protracted for four days, the Chamber showed considerable marks of impatience. On the following day, however, M. Casimir Perrier obtained a hearing. He complained of the short warning which had been given to the holders of public *rentes* ; that between the notice and the execution of the present measure, there had occurred

only such an interval as between the flash of the lightning and the bursting of the thunder. He lamented that the treaty should have been made with foreign companies, to whom the French finances had for ten years been a mine of wealth. He was astonished at such a country as France being placed under this species of tutelage and dependence. Whilst there was every motive to invite to such a loan publicity and competition, the affair had been treated secretly in the cabinet of the minister. The whole project appeared to him a manœuvre to consolidate and extend ministerial power. Not content with having destroyed all the guarantees afforded by the charter, with having obtained almost unbounded influence in the elections and in the universities, they sought still to add the arbitrary disposal of four or five hundred millions, to place at their mercy the last resources of France, in giving indemnities to a class of unfortunate Frenchmen; yet the wisdom and honour of that class would repel an indemnity still impregnated with the tears of those whom it was intended to despoil.

M. Villele replied to this speech. He denied that there was any such connexion between this operation and the proposed indemnity, as the last speaker had represented. The servants of the King had awaited for ten years a just and tardy indemnification for the sacrifices which they had made to fidelity. Imperious circumstances had long adjourned this indemnification. The Monarch had at last the satisfaction of declaring, that the first funds which were found disposable, should be devoted to this purpose, yet without burdening his people; but, on the contrary, associating with this indemnity a diminution of taxes. It was only by a false interpretation, that a measure, rendered indispensable by the situation of our funds, could be represented under this light. Had it not

been for imperious circumstances, the 47 millions which had arisen last year by the excess of receipt over expenditure, would have been employed in this manner. As for the suddenness of the measure, it had been the result of a rapid and unexpected rise in the price of the funds, and it had been announced as soon as the negotiations had been completed. There had been as much competition as the nature of the case admitted. Separate proposals had been received from each of the four companies; but government had felt, that, in order to produce the requisite stability in so vast an operation, it was necessary to combine the security of all the great capitalists of Europe.

The general discussion on the law was now closed; but, before it was put to the vote, several amendments were put forward, particularly by M. Le Roy and Humann. Their chief object was, to render the operation more gradual, and to spread it over a number of years; but though the minister of finance showed a disposition partially to acquiesce in some such arrangement, the propositions were all ultimately negatived.

The law, as originally proposed, was then put to the vote, paragraph by paragraph; and each was carried by very considerable majorities.

The law was now carried up to the House of Peers, where ministers had not probably expected to find a very formidable opposition. According to the regular French usage, it was referred to a committee, the report of which was given in on the 25th of May, by Duc de Levis.

This report was elaborate, and decidedly in favour of the measure. It began with observing, that they were not called to choose the best among possible plans, and consequently could not discuss several that had been suggested. This would have been to encroach on the royal initiative, which

left it to them merely to accept or reject simply the proposition of the minister.

The committee repelled at once the idea of the state not having a right to repay its creditors. This was a natural right, which the law secured to all, and in case even of positive exceptions, allowed them to operate only for a limited time. In what law, in what edict, ancient or modern, was it found, that the King or the nation had renounced this right? Such an engagement would be absurd and illusive, even if it existed. The only serious difficulty was in fixing the amount of the capital; but this was removed by the law of 21 floreal, year 10, which decreed, that the part of the public debt constituted as *perpetual*, shall bear the title of 5 per cent consolidated. It had been asserted, that the term *perpetual* implied, that the debt could not be repaid; but, in fact, it was merely meant to distinguish it from the terminable annuities, of which there was then a large amount.

In regard to the public expediency of the measure, the only doubt that could arise was, as to that part of it which related to the nominal increase of capital. This, however, arose necessarily from the extraordinary circumstances in which Europe was now placed. The progress of civilization and of general peace had produced a remarkable revolution in the opinion of capitalists in all countries. Instead of the anxiety, often well-founded, for the safety of their capital and the faithful execution of engagements, the only fear now was, lest they should be too promptly repaid. This dread of repayment, which had long existed in England, was beginning to be felt in France, as had been shown within the last few weeks, by the considerable rise which had taken place in all funds not liable to be repaid. It was thus no longer possible for a stock at 4 per cent to compete with the English 3 per cent.

There remained no option to government but to create like its neighbours a stock of the latter denomination. The objections to the measure, derived from the additional obstacles which it presented to the discharge of the debt, were answered as formerly, by observing, that the sinking-fund was employed merely in buying up *rentes*, not in paying off capital.

The reporter, lastly, proceeded to the question, which, at this moment, was acting most powerfully on the public mind. This was the derangement which this grand operation, so advantageous to the public fortune, would cause in the fortune of individuals, and whether the privations and discontent thus engendered were not motives sufficient to prevent them even now from giving their consent to the law. The number of persons holding money in the funds amounted to 145,000, and taking in their families, the persons affected would amount in all to 400,000. Of the first number, 50,000 drew from 100 to 30 francs—20,000 from 300 to 600—26,000 from 600 to 1000. The first class were less to be pitied, because they must possess some other means of subsistence. It was in the two last classes that the individuals were to be found, who derived the whole of a scanty subsistence from the public funds. Although the committee, however, expressed commiseration for this class, it did not suggest anything for their relief, but proceeded to general topics of consolation. With the exception of a few old holders, who had been cruelly treated under successive régimes, almost all the buyers of national funds had obtained them at a price much inferior to the repayment which was now offered to them. Even after the reduction, they would still draw 6, 7, 8 per cent. Equity obliged them to contrast this situation with that of the land-holders, subject for so many years to a burdensome and unequal contribu-

tion, and supporting alone the enormous burden, while income from the funds was never made liable to any deduction. They had open to them an investment of the repaid capital in land, which yielded still 5 per cent; while the daily progress of industry in every department, presented on all sides enterprises useful, lucrative, and honourable.

On the subject of the terms of the transaction, the committee were not so decided. They regretted the want of publicity and competition, as well as the imperfect information which had been laid before the Chamber; though they admitted, that these might be the necessary accompaniments of an operation demanding a concurrence of all the great capitalists of Europe. They concluded, however, with mentioning a note, which, just as they were terminating their labours, they had received from one of the bankers, making a tender, on certain conditions, of continuing the present rate of interest, for five years, to the small fund-holders, and to the extent of forty millions. This statement of the committee was immediately met by a letter from three of the bankers, Baring, Rothschild, and Lafitte, denying their being at all parties to such a letter, or in any degree disposed to concur in the views which it expressed. They added, that they would never have been guilty of so great an impropriety, as that of directly addressing the committee, when all their relations were with the minister himself. M. Villele confirmed this statement to the Chamber, adding, that a fourth banker had indeed made propositions to the above effect, but after the general agreement had been closed, and clogged with conditions, which rendered it inexpedient. This house, too, was the one whose terms had originally been the most exorbitant. Sartoris, however, the fourth banker in question, published a letter, in which he declared, that the communication

had been drawn up with the consent of Mr Baring, who had answered for that of Mr Rothschild. Baring published a letter in explanation, and no more was heard in the sequel of this proposition.

Count Rey, who, as once Minister of Finance, could speak with peculiar authority on the subject, came forward in the most determined opposition to the measure. He began with expressing his general esteem for M. de Villele, and his regret at differing from him, and also with admitting fully the question of right. But he denied the very fact upon which the measure was founded, and which was, that the interest of money in France really stood at 4 per cent. The legal and current interest throughout the kingdom was 5 per cent in ordinary transactions, and 6 per cent in mercantile transactions. As soon as the funds rose to 92 and 95, it was the regular practice of the proprietors in the departments to sell out. They had, in fact, been of late selling out daily; and the present high price was supported solely by speculation. Six months ago, government had with difficulty obtained a loan at 6½ per cent. The Count was perfectly convinced, that it would be at present impossible to raise a regular loan so low as 5 per cent. In November and December last, the current price had been 90, 50; in January and February, 96, 85; average of the four months, 93. Such were the circumstances under which the reduction of the interest was announced. He would say nothing of the present price, because it was a mere game played by the companies; and yet they could not raise the interest materially above 5 per cent. The only foundation, then, upon which the measure could rest, was the hard necessity which lay on the small fund-holders, who composed a vast majority—there being five-sixths who did not draw above 1000 francs (40*l.*) a-year—of accepting almost any

terms; there being no other mode in which sums of so slender an amount could be otherwise placed. Another manœuvre was, the nominal increase of capital, a measure which afforded advantage merely to the jobber and speculator, but none to the sober citizen, who wished to live upon the income derived from the funds. The speaker then endeavoured to point out the disadvantages necessarily arising from this increase of capital. Ministers had endeavoured to throw a veil over them, by representing a sinking-fund as solely employed in buying up stocks at the current price. This principle, however, applied only to the case when the funds were below par. When they were above 100, no financier would ever dream of discharging the public debt in this manner. The repayment of the capital, or the regular reduction of the interest, became then highly advantageous operations; of the means of effecting which, ministers deprived themselves by the measure now under consideration. He endeavoured, therefore, to show, that the general issue of a measure for which the state paid so high a price, and which inflicted so much suffering on individuals, would be disadvantageous to the national finances. The moral and political disadvantages of the measure appeared to him of still higher importance. It would inspire with disaffection a numerous and interesting class of men, and of families, chiefly established in the capital; it would diminish in them those sentiments of confidence and affection, which are the source of public spirit, and the chief strength of states. Could the addition of a few millions to the public treasure, though it were really to be made, form any compensation for the treasure which the King would always find in the hearts of his people? Was it wise to place the resources of the state, and the credit of the nation, in a state of dependence upon some indi-

viduals, honourable men indeed, but foreigners, and who, by a train of events, independent even of their own intention, might cause public ruin. They would certainly employ their union, and the numberless springs which they were able to move, rather in promoting their own interest than that of the French nation.

The Minister of Finance made an elaborate reply, and the debate was prolonged for several days, with long and warm speeches on both sides. The longer, however, that the discussion continued, the more decidedly did public opinion pronounce against the measure. It was one in which the capital was especially and personally interested, as containing a much larger proportion of those who derived their income from the funds, than any other part of France. The view of so many individuals of narrow fortune, who would be reduced to still greater penury, besides the clamour which they themselves raised, interested the humanity of the public. Among the opulent and influential classes also, there were a large proportion who would suffer by the measure; and to them probably might belong a considerable portion of the Chamber of Peers itself. In short, the public feeling, both within and without the Chamber, was so strongly manifested, as to give rise to anticipation, that, notwithstanding the whole weight of ministerial influence, supposed to be peculiarly dominant in this part of the legislature, the bill would not pass. M. Villele, after a long closing defence, made a final effort to save it. Without interfering with the law as it stood, he engaged hereafter to open a new establishment, of what nature we do not fully understand, but in which the holders of less than 1000 francs of annual rent might place their funds, and enjoy the same interest as at present. If this modification, however, could ever have arrested the fate of the law, it was now

too late. On being put to the vote, it was negatived by the not very narrow majority of 120 to 105.

The decision of the peers was received with unbounded exultation throughout the capital; and this defeat, in the leading and favourite measure of the session, made a complete change in the position of ministry. From being firmly seated in the possession of power, and having the Chambers apparently at their disposal, they were now in the situation, which, in a representative government, is understood to imply an immediate retirement from office. An interior agitation prevailed among their own members. Chateaubriand, who ranked next or equal to Villele, had not spoken in favour of the law, and, as it now appeared, had opposed it in the cabinet. The failure of a scheme engaged in, contrary to his advice, would now, it was supposed, have rendered his influence paramount. On the contrary, the suspense of a few days was ended by the formal dismissal of Chateaubriand, who was not even allowed the grace of an apparent resignation, but was ordered to deliver up the seals of office to M. Villele. That minister showed himself to possess unlimited influence over the mind of the King; but determining to keep hold of office, he gave way, in the treatment of his rival, to an imprudent ebullition of pride and passion. In Chateaubriand, his administration lost the most brilliant, eloquent, and popular of its members; and one round whom a powerful body of opposition immediately rallied. His government had still, indeed, the means of prolonging, though with difficulty, its existence; but it was thrown down finally from that lofty position, in which it had stood at the commencement of the session.

It was certainly somewhat of a hard fate which befel the French ministry, that after having carried, without difficulty, and almost with applause,

the most violent and culpable measures—measures subversive of all the rights of a foreign nation, and deeply encroaching on those of their own people—they should have been shipwrecked against a measure, which, in its general character at least, was both just and expedient. This result, however, was in an eminent degree auspicious to the cause of liberty in France. It broke completely that deep-laid plan of establishing an administrative despotism, which seemed on the eve of complete and successful execution. The Chamber of Peers saved those liberties which the representative and popular Chamber was ready to surrender. They placed themselves in the breach, by which the citadel of liberty was about to be stormed. The attitude of independence, and almost of opposition, in which they put themselves, deprived ministers of all hope of carrying those ulterior encroachments on the constitution, and those measures for farther strengthening the bases of the monarchy, which they were known to meditate. Chateaubriand became the head of an opposition, which, in its theoretical profession indeed, was royalist in a very high degree. But a party which is out of, and opposed to the possessors of power, is never long of acting as a Whig party. All the grand elements of a free constitution, the liberty of the press, the independence of the tribunals, and the rights of the representative bodies, found as strenuous a defender in Chateaubriand, as in Manuel and Constant. His efforts were only the more efficacious, because they were conducted with more dignity and decorum, and because the public could not suspect in them any revolutionary aim or purpose. Although this statesman had boasted of the attack upon Spain, as his own measure, his partisans were now the foremost in deploring the state to which that country had been reduced, and in urging that

something should be done for its deliverance. Let it be observed, by the way, that certain writers in our own country did not, in our opinion, act a friendly part to the cause of liberty, when they scrutinized too minutely his motives, and drew invidious comparisons between his present and his former profession. These researches are far from prudent, in the case of one who is serving well at present a good cause. Meantime, amid all this opposition, Villele, having the confidence of the crown, and a fixed majority in the Chamber of Deputies, is likely to maintain his ground, at least till the period of a new election. This we consider to be fortunate; for as he will be able to cling on his ministerial existence, only by avoiding all violent and unpopular measures, the French are thus insured in the degree of liberty they possess, for so long a period as will probably enable it to strike root too deep to be easily eradicated. \*

This concurrence of events had equally the effect of baffling that train of measures, by which Villele was labouring to extinguish all that part of the periodical press which maintained any character of opposition to government. These measures were proceeding before in the most favourable manner. The *Pilote*, one of the most active liberal papers, was bought over, and ceased to exist. The *Quotidienne* and the *Etoile*, under the influence of the same agency, astonished their readers by a sudden change of tone, and after pointing for some time to different quarters of the political compass, settled in a decided ministerial position. Against the *Courier François*, which remained inflexible, a second prosecution was begun; the successful issue of which, it was confidently expected, would involve a suspension of its proceedings; while a third would lead to a prohibition against its ever being again published. All these fair prospects were

now blasted. Chateaubriand carried with him the *Journal des Debats*, by far the most widely circulated of the ministerial journals. The majority of the courts, attached to his party, instead of being an instrument in the hands of government, showed, as will afterwards appear, rather a disposition to thwart its views. Ministers, in short, who had confidently expected in a few months to be completely masters of the periodical press, now saw the great majority of it, as to numbers, firmly and irremediably arrayed against them.

The project of an indemnity to the emigrants, having lost the basis on which it was to be built, sunk for the present session. The other great measure was the law for rendering the elections septennial; a law of much more real and deep importance than that for reducing the interest of the debt, but which yet did not excite nearly so great a movement in the public mind. Indeed, it was considered almost as a matter already final and fixed. Having been announced, as a proposition to be made, after the late dissolution, and previous to the elections, and those elections having been made altogether in favour of the ministry who were to bring it forward, the opinion of the nation, and through it of the Chamber, might be supposed to be made up. The bill originated in the Chamber of Peers, through which it had already passed, before that Chamber assumed any hostile attitude. There was then little room for apprehension as to its fate in the deputies.

The minister of the interior, in introducing this law, observed, that the destination of the elective Chamber was to express the wishes and opinion of the nation, and to enable them to prevail, so far as they were legitimate. It ought to be guarded, however, against a degree of mobility incompatible with any good administration, and against the tendency to yield, without resist-

ance, to the impression of the moment. It had been hoped that the annual renewal of the Chamber by a fifth part, would be the best means of perpetuating the same spirit which prevailed in its origin; that such a partial election would introduce, without any violent shock, the new talents of which society stood in need; would continue on the same plan the labours on which it had entered. On the contrary, ten years of experience appeared to have shown, that the agitation occasioned by elections perpetually, either just past, or just approaching, had rendered it difficult for the Chamber to maintain the tranquillity and independence necessary for the discharge of its important functions. Usefully occupied in providing for the wants of each moment, the Chambers, notwithstanding all their zeal, had been only very imperfectly able to make arrangements for the future. The laws which were to secure the prosperity of a state, required to be arranged in the same spirit; political and civil legislation, administrative measures, police and finance, ought to be arranged in combination with each other. This unity of views cannot be obtained during the short duration of a session. The same men must have time to view the general outline of the plans submitted to them, and to make themselves masters of the details; otherwise their deliberations must be unconnected, and their laws out of harmony with each other.

Here, indeed, the question might arise, whether the integral renewal would not introduce into the direction of affairs too sudden a change, and too violent a movement. It was conceived, however, that when a steady movement was established, when an uniform train of thought, in accordance with the general interest, directed all deliberations, public opinion would be tranquillized without the Chambers, as well as within; and when the moment came

for calling the country to express its judgment by new elections, no one would be tempted to shake the state of things which existed, and which had taken root. In considering all things, however, it was to be observed, that this time might arrive under unfavourable circumstances. A continental kingdom might be exposed to the aggression of foreign enemies, who might take advantage of this very occasion to augment our embarrassments; internal disturbances might also occupy men's minds, and disqualify the nation for the calm exercise of this important duty. This danger would be obviated by assigning to the Chamber the long duration of seven years, with power to the government to abridge the term, and to bring on a new election at the period when public order seemed most favourable to that important operation.

The present mode of annual renewal had been indeed embodied in article 37 of the charter; and the question was, whether the Chambers had now the power to alter it. Doubtless, the Chambers created by the charter could not destroy themselves; they could neither abdicate, nor limit, the powers which it conferred. But was ~~that~~ a reason why they should refuse modification in their interior organization, which experience had shown to be useful, and even necessary? Such a respect for the charter would turn against the charter itself.

The report of the Chamber of Deputies, presented on the 31st of May, by M. Martignac, was entirely favourable to the measure. The influence of French manners was felt even in the movement of the passions and the action of parties. "That electoral fever, as some have called it; that battle of the elections, as a deputy has not feared to name it, renewed every year in a fifth of the departments, in presence of the others, became a general subject of inquietude and agitation. Nothing is



effaced, nothing is forgotten; a new fermentation succeeds as soon as the former has subsided; divisions and hatreds are revived without ceasing, along with pretensions and hopes. Ten years ago, the Chamber was given to us as the basis on which our institutions were to rest. These institutions exist still only in our desires and hopes. All organic laws are wanting; we live under a legitimate and temperate monarchy; and our system of administration still moves upon springs, prepared for a republic, or for an usurping and despotic power. The partial renewal is then incompatible with every creation and every important amelioration. It involves hesitation, embarrassment, distrust; it leaves no plan unless for the urgent measures, the immediate necessities, of the year. It is the instrument of the present. The integral renewal, on the contrary, favours great views, and aids the developement of institutions; it leaves room to create, to combine, to follow out. It binds the present with the future. For a hundred and eight years, the Parliament of England has adopted a septennial duration; and experience has justified those who represented it as useful to the throne and to the country. The opposition have often made attempts to alter it; but these attempts have been constantly repelled. Mr Pitt, when young, displayed on the benches of opposition his zeal for reform. His proposition was then rejected; and when he afterwards came to power and high influence, he was careful not to bring it forward again, because his judgment, matured by time, and enlightened by the practice of business, could duly appreciate what his youth had conceived the design of overthrowing." (Voice from the left, "Because then he was minister.")

M. Royer Collard, in attacking this measure, took a somewhat singular ground, by representing it as hostile to the monarchy. The force of the elec-

tive Chamber naturally decreased as it was removed from its origin; the interests and opinions of the people are produced entire in the integral renewal, and in part only in the fractional renewal. Theory then decides, that, all other things being equal, the integral renewal belongs properly to the republican principle, and the partial renewal to the monarchical. England is far from contradicting this theory. The system of integral renewal found in England the monarchy almost absolute; it has so narrowed and abridged it, that it has changed it into a real republic, aristocratic indeed, but on that account only the stronger, and the more capable of resisting the crown. The United States followed the law of integral renewal, and it was at least an avowed and thorough republic. The ingenious combination of annual election with fractional renewal, is perhaps the only condition under which representative government can be established and continue in France, without risk to itself, and without danger to the throne. As to the fixity of which ministers speak, it is a chimera which we are not allowed to reach; for if we did reach it, representative government, which is only the organized motion of the social system, would cease. Ministers, he doubted not, were sincerely devoted to monarchy; but in seeking to free themselves from the trouble of annual elections, they did not fear to expose the country to the perilous crisis of the integral renewal.

From this subject, the speaker passed to the question, whether France really had, or had not, a representative government. It was not enough that it had a chamber, solemn and regular deliberations, honour, patriotism, and intelligence, in the men who composed it. The representative body must be sent by the nation; yet in fact, from year to year, from trial to trial, it had been nominated by power. He blamed

not men ; he blamed the course of human affairs. The Revolution had destroyed the hereditary magistracy ; and in its place, we had the functionaries of government ; it had destroyed the local powers, and everything now centred in ministry. The elections were to be carried on in the face of this overwhelming authority. The Chamber made all electors, who paid 300 francs of direct taxes ; but this right must be acknowledged by the agents of ministers, who had infinite entrenchments within which they could defend themselves. There was no appeal but to other agents, holding their place at the will of ministers, who, as they had thus the power to destroy electors, had also the power to make them. Appeal was equally difficult, equally impotent. It were needless to produce testimonies, though they might not be wanting, of the intriguing and often oppressive conduct of the agents of authority. This is sufficiently revealed by the laws of the human heart, and the experience of all ages. I know, before I have seen it, what will be the destiny of the rights which stand in the way of power, when they are left to its discretion.

General Foy, in following up similar views, began with observing how remarkable it was, that a law of such importance should be viewed by the public with so great a degree of indifference. It might have been expected, that this great innovation would engross all thoughts, would occupy all conversations ; that the press would groan with eager discussions upon it ; and that an inoffensive, but numerous and animated crowd, would fill the avenues to their hall, waiting with anxiety the result of their deliberations. On the contrary, the nation was immovable and silent, the journals scarcely spoke of the measure, and the writings upon it would scarcely have been known, if they had not been distribu-

ted. He himself, as a member of the Chamber which the charter intended should be elective, experienced a degree of embarrassment which it might have been difficult to overcome, but for the rigorous duty which he had to fulfil.

General Foy began with taking a view of the principles upon which the elective Chamber was formed. In 1814, the royal authority appeared in France, rich in its ancient rights and its ancient origin ; at the same time, it inherited the modern despotic power of the Revolution and the empire ; it appeared amid a nation where the first wish of the citizens was to remain equal among themselves, were it even to purchase this benefit by a more absolute and servile dependence. The order of clergy and nobility, the great courts of judicature, independent corporations, all had disappeared. The charter restored none of them ; but viewing man in the plenitude of his moral dignity, it applied to all persons and all things, new rights and new advantages. Under these circumstances, the Chamber of Deputies was formed upon a system of precaution. The election was confined to the most wealthy, that is, to 80,000 out of 30,000,000 ; eligibility was reduced to 18,000 individuals, under diverse conditions of age and contribution. This was not all ; it appeared necessary to oppose a more solid, an insurmountable barrier against the irruption of democracy ; this barrier was the partial renewal. A Chamber thus renewed, would, it was thought, have a ruling opinion, not created by the events of a month, of a year ; but, if the expression may be used, the mean of all the opinions in circulation. What then do ministers wish, when they propose the septennial system ? They wish to escape from that law of mortality, which has hitherto reduced to two or three years at most, the mean of a ministerial life. They wish to guard, lest

a compact majority, if it should one day appear, should present to the Sovereign men more worthy of aiding him with their counsels. The present speaker, however, concluded, like Royer Collard, with invectives upon the ministerial power, and the state of the elections. "Absolute authority," said he, "exists in the agents of administration; wherever you go, you find it; no public functionary is protected from it. It is a sword which strikes at random all opinions, all opposition, all independence; it is the imperial power fallen by successive stages upon our present ministers." He complained also of the manner in which the last electoral colleges had been formed, and the influence exerted upon the electors. In certain districts, ministerial agents had gone and said, If you do not name such and such candidates marked out by power, you will not have such a public establishment which you demand, such a bridge, such a canal—[Murmurs, "Girardin—It is true."]—The speaker, in short, declared, that the longer or shorter duration, the integral or fractional renewal, were modes of representative government, which had their advantages, and had their inconveniences; but the liberty of election was the life of that government; its loss was its death.

If the liberal members had opposed the measure as anti-monarchical, it might be expected that the same view would be still more decidedly taken by La Bourdonnaye, the leader of the ultra-royalist party. That speaker laid a peculiar stress on the spirit of innovation by which it was marked. How could this spirit, this fatal aberration of men's minds, which was sufficient thirty years ago to shake the fundamental doctrines of the state, and overturn a monarchy of fourteen centuries, consolidate now the throne of the Bourbons? It was only the secret partisans of the fatal doctrine of the sovereignty of the peo-

ple, who could think, with the statesmen of a neighbouring country, that parliamentary omnipotence has no limit but the nature of things. "If, however, the forms of the French representative government have an analogy with theirs, the origin and essence of their social compact differs essentially from that of our constitutional charter. Their public right, consecrated by a revolution which overturned the legitimate authority, and founded on a transaction with the usurping power, rests on a change in the order of succession to the crown; it admits the principle of the sovereignty of the people, and their right of electing and deposing kings. This right invests the two Chambers who represent the people with the entire power of the state. In France, on the contrary, the public right is established on the principle of legitimacy and permanence; on the concession of a constitutional charter, which cannot be withdrawn. The charter then forms the sole basis of the French constitution; and it is here attacked on a fundamental point, which cannot be changed without breaking the equilibrium of the powers of the society, and modifying in its very essence the representative government which we have sworn to maintain. A change tending to render more compact the majority formed in the elective Chamber, and increase, by a duration of seven years, the preponderance, already too manifest, of the democratic party in the Chambers, cannot but be regarded as fundamental, and one subversive of the principle of the charter."

Among the defenders of the law, M. Vaublanc, joining in the opinion of his opponents, that it would increase the power of the elective Chamber, made this an argument in favour of the law, which he conceived would be advantageous to public liberty. Among a people who elected deputies, it was most desirable that they should retain their functions a sufficient length of

time to be able to do good. The elections would be more free; for it was easier for the servants of the crown to sway them in a fifth part of France, than in the whole country. The annual exertion of influence naturally transformed itself into a habit; it acquired its rules and its tactics, and was enabled to combine thoroughly the means of success. Those who thought that the last elections had been too much influenced, ought to join in his opinion; for this influence was the necessary result of that constant exertion in which ministers, for ten years, had employed all their efforts.

M. Villele began with referring to the sinister auguries drawn by General Foy, from the little interest shown by the public in this debate, and his recollections of a tumultuary period, which he seemed to regret. To M. Villele it appeared, that this tranquil state, instead of arising from indifference, implied the most complete and honourable approbation which an operation of this kind could receive from public opinion. If, as was alleged, this measure increased the power of the Chamber of Deputies, and weakened that of the crown, ministers were ready to sacrifice this advantage, in order to obtain the great benefits which they expected from it—the steadiness and tranquillity of public affairs, and the opportunity of introducing those permanent ameliorations, which had been impracticable amid the late perpetual system of shifting and contest.

In regard to the exorbitant influence which ministers were accused of having exerted at the last elections, M. Villele maintained, “government has neither more nor less right to influence the elections, than the candidates themselves. Each party yields readily to the desire of recommending his friends, of removing his enemies; and if some imprudent steps have been taken by the subaltern agents of authority, be assured that the upper administration has been the first

to lament them. It is not for the candidates to complain of such means; you all know, gentlemen, that those who pass the proper limit, miss their aim; and the higher administration cannot complain too much, when it has been weakly and injudiciously served.”

On this last subject, M. de Corbiere made some important admissions. “We are accused,” said he, “of having threatened the functionaries—of having constrained their conscience. If a public functionary places himself in the ranks of opposition, it follows that, according to him, administration acts in a manner hostile to the interests of the people; he regards it as an enemy to the charter and the monarch. The conscience of such a functionary must be in this dilemma; either he will betray his duty towards an administration to whose confidence he has been admitted, or he will become the accomplice of acts, which, according to him, are contrary to the true interests of the country. The only means, then, which he has to fulfil his duty, is to obey the call of conscience, and to retire.”

Casimir Perrier.—“You leave him no choice; you send him his dismissal.”

Corbiere.—“He cannot hesitate, after the admonition which government has given him.”

C. Perrier.—“Dismissal!—an admonition truly paternal!”

On the 7th June, the debate having now lasted six days, its *cloture*, or termination, was voted by a large majority, though there were still several orators of distinction inscribed to speak both for and against it. Several amendments were proposed, but all, after a short discussion, rejected. The law was then carried by the large majority of 292 against 87.

A new arrangement was made this session, relative to the military force, which had not, however, as has been supposed in this country, the effect of increasing its absolute amount, but merely of rendering it more movable.

According to the present system, the King had the power to make an annual levy, not exceeding 40,000 men. The conscripts were bound to six years of active service, and after that to six years of local service, within the military division to which they belonged. This last service might, in case of war, and upon a decree of the Chambers, be extended over the whole kingdom. It was observed, however, that this recall to active service of those who had received their dismissal, was a very ungracious and difficult operation. On the 31st December, 1822, there had been dismissed 22,000; but when these, by the law of 5th April, 1823, were recalled into active service, there were not forthcoming more than 16,000. This great failure, in so short a period, might give some idea of the rapid progression in which the diminution would afterwards take place. It was therefore proposed to raise the annual levy to 60,000, and to make them liable to active service for eight years. The number, however, actually called out, would be limited by the funds allowed by the Chambers for that purpose; the only check admitted of under the French government. They were then to be called out in the order of their ages, beginning with the youngest; in consequence of which, the more advanced, in proportion as they contracted the habits of civil life, would have the chance of escaping service altogether. The measure was carried, not absolutely without discussion, but without any very formidable opposition.

A very considerable interest was excited by a personal question, raised on the subject of M. Benjamin Constant. The exclusion of that distinguished orator on the liberal side, was called for by M. Dudon, on the ground of his not being a French citizen. The reply was, that though his parents resided in Switzerland, they belonged originally to the South of France, and were driven out of

their native country by the revocation of the edict of Nantes. The measure appears to have sprung from the individual movement of Dudon, without any support or sanction from government; it was discussed with a good deal of candour and temper; and it issued in a full acknowledgment of his right to sit in the assembly.

Another law, which excited a good deal of interest, was that against stealing and applying to profane purposes the sacred vessels belonging to the churches. This offence was to be now punished by hard labour for life, and in aggravated cases with death. After being carried, however, through the Chamber of Peers, and introduced into that of the Deputies, it was suddenly withdrawn by government, without any reason assigned.

An act was passed this session for modifying some parts of the penal code. The following are among the principal articles:—Individuals aged less than sixteen, who shall have no accomplices above that age, and shall be accused of crimes other than those to which the law attaches the punishments of death, of forced labour for life, or of transportation, shall be judged by the correctional tribunals, or those of police. This article was vehemently opposed by General Foy, as an infringement of the right of trial by jury, to which he accused the present ministry of being hostile. It was replied, that there was no idea of any diminution of this right. The object of the law was to render justice more speedy—to diminish its expense—and, in certain instances, to mitigate its severity; for the police could inflict no higher punishment than imprisonment for five or six years. This mitigation, which transferred the culpable action from the class of crimes to that of offences, necessarily took it out of the competence of a jury. Other articles were, The punishment pronounced by the act 302 of the penal code,

against the mother guilty of infanticide, may be reduced to that of perpetual compulsory labour. This reduction shall take place in regard to no other individual except the mother. The punishment pronounced by article 309 of the penal code, against those guilty of blows or intentional wounds, from which there has resulted an incapacity for labour during more than twenty days, may be reduced to imprisonment for not less than three years. The punishment pronounced against those guilty of robbery, or attempts at robbery, on a highway, when these have been committed without threats, without arms apparent or concealed, without violence, or any other aggravating circumstance, may be reduced either to that of temporary forced labour, or of solitary confinement. The penalties on house-breaking, free from any of the above aggravations, and not committed in the night, nor by more than one person, were similarly reduced. None of these mitigations, however, were to apply either to beggars, to vagabonds, or to individuals who had been previously found guilty of any considerable crime.

Although, as already observed, there was no disposition in the Chamber to call in question the propriety of the war against Spain, yet when the expenses of that operation came under discussion, a much more critical disposition was manifested. The credit of 100 millions of francs, granted last session for defraying this extraordinary object, had proved wholly inadequate. The expenses had amounted to 170 millions, (about 7,000,000*l.* sterling,) being nearly three millions sterling beyond the sum allotted; to which was to be added, nearly a million and a half sterling, advanced to the Spanish government; of which the hopes of repayment held out must have been felt by the Chamber as very faint. It was not denied that the expenses, when compared

with the services performed, had been most unreasonable and exorbitant. This was stated to have been the consequence of the contract which government, from a variety of concurring circumstances, had not been able to avoid making with M. Ouvrard. The war was to be made in a manner different from that to which the French armies had been long accustomed. They were to be supplied with everything, and to be enabled to march to every part of Spain, without being burdensome, in any shape, to the inhabitants of the territory. The departments did not possess the experience requisite for making the extensive provisions necessary under this system. M. Sicard, intendant-general, had set out in the middle of February, but being, by various accidents, detained more than a month on the road, he arrived only a few days before the Duke d'Angoulême, and found everything in an unprepared state. The contractor, who had undertaken for the means of transport, failed in producing the necessary security. All the means of opening the campaign were wanting; and yet a delay, under such circumstances, would have been putting its success deeply to hazard. In this crisis, Ouvrard came forward, and undertook, under the character of munitionary-general, to supply from his own resources everything that could be wanted. The circumstances were such as left no room for choice. The administration were obliged to conclude with him a bargain, ruinous, it was admitted, in regard to expense; but which fulfilled its object of enabling the army to make a rapid and successful campaign. If they had been delayed for another year in front of Cadiz, it would have been a much more ruinous concern than the Ouvrard contract.

General Foy made the most severe strictures on the enormity of this expenditure. Ministers, after a full consideration of the subject, had fixed the

estimate at 100 millions. The rapidity with which the war was brought to a successful termination, had surpassed the hopes of the most sanguine. On the 7th April, the army passed the Bidassoa; in June it was before Cadiz; and in the first days of October, it had no longer an enemy to combat. Not a soldier had been raised beyond the number of those demanded; on the contrary, the class of 1833, though placed at the disposal of government, had not been called out; and of 22,000 veterans summoned, only 16,000 had answered. Who, then, but must have thought that there would be large savings upon the grant of 100 millions, forming an excess to be added to the resources of the following year?—What must be their surprise to learn, that more than double the estimated amount had been expended?—These enormous and unlooked-for expenses arose from the creation of a munitionary-general. What is a munitionary-general?—He is a man who boasts of a long experience; who doubts of nothing, and promises everything. Provisions are wanting; he shows a few bags of rice—the means of transport are wanting; he produces some Spanish waggons as a specimen. He is a necessary man; and what in short, could the prince-generalissimo do, but accept the munitionary-general, and approve the bargain? The name of an august prince, however, must not be an egis behind which ministers might commit with impunity acts contrary to the interests of the state.—The Minister of Finance replied, that he and his colleagues were far from rejecting that responsibility. This campaign, however, had been very different from any one in the former thirty years of war. During these, the war had been carried on at the expense of the countries in which it was waged. Here success depended entirely on the discipline of the troops, and consequently on their being carefully furnished with everything of which they stood in need. The French show-

ed themselves in Spain as simple auxiliaries, paying everything, and carrying nothing away. Was it to be wondered, if the war administration did not readily find all that they wanted? Ministers had done everything in their power to avoid or shake off the ruinous contract with Ouvrard, but had not been able to escape from it.

After a pretty warm debate of two days, the vote was carried in the Deputies by a majority of 234 to 69.

No farther discussions of any interest marked the proceedings of the assembly till its prorogation, which took place in the end of July.

The attention of the public, at this time, was almost wholly engrossed by the proceedings in the courts of law. The first case which came on was that of the *Quotidienne*; respecting which, most violent proceedings had taken place. A part of the proprietors, obtaining the aid of the officers of government, had made forcible entry into the premises, seized upon them, and converted the *Quotidienne* into a ministerial journal. An action was brought before the courts, in the course of which, the dark schemes by which Villèle was seeking to subvert the independence of the press, were fully developed. Four of the twelve shares of the *Quotidienne* being for sale, had been purchased by a M. Bomteau; but, as afterwards appeared, in fact by M. Villèle. M. Laurientie, the proprietor of three others, held also an office in the university of Paris, dependent upon government; and against him there was carried on such a system of persecution and menace, that he was at length well pleased to sell out. There appeared as purchaser a M. de Valdené, who also proved afterwards to be M. Villèle in disguise. Ministry being now masters of seven shares out of the twelve, conceived that they had the full disposal of the paper, and had taken, through an agent, the violent step above mentioned. They were defeated, however, by

a provision of their own making. In order to prevent the system of sham editors, put forward and paid to undergo the penalties of the law, a fixed character had been given to an editor, to be recognized by government ; so that a variety of steps were required before even a majority of proprietors could remove him. The court, therefore, decreed that M. Michand, the established editor, should be replaced in the premises, and in the management of the paper.

This defeat was immediately followed by the pleadings in the case of the prosecution instituted against the *Courier François*. They were opened on the 27th May, by M. Broc, the King's advocate. The charge was of a very vague nature—a spirit manifested in a succession of articles, of a nature to trouble the public peace. An hundred and eighty-two articles were selected, with a view to establish the general charge of bad tendency. The leading grounds were the praise of the Ex-deputy Manuel, and of Serjeant Mercier ; that of the Ex-conventional Carnot, and of a merchant-tailor, who was a violent revolutionist—sundry articles relative to the war in Spain—the lamentation over the fate of Riego—the applause bestowed on Mina, and on Wilson, “that knight-errant of anarchy”—the abuse of Morillo, Ballasteros, and Abisbal—attempts made to ridicule the Pope, which implied a charge of irreligion, and of disrespect to a foreign power—strictures against government for the dissolution of the Chamber, and for their conduct in influencing the elections. The advocate besought the court not to be affected by the sounding words of vague and arbitrary, which might be applied to the charges. How many persons were there who read only one paper, and whose minds might be entirely perverted by its general tendency, without there being any single violent article to lay hold of ! He declared himself a friend to the liberty of

the press, and thought it desirable that opposition should have its organs ; but the opposition in the journals ought to be a real opposition, not a daily conspiracy.

M. Merilhon, the advocate of the *Courier*, began with denouncing, in the boldest manner, the system on which government was acting. He was determined to lay open the true causes of the present prosecution. His explanations might wound certain ears, the enemies of truth ; but he spoke before a sovereign court, of high independent character, on whose seats, if anywhere, truth ought to find a refuge. A plan had been formed to subject or insensibly destroy all the journals, to extinguish all public discussion, and to break the organs of the various opinions which existed in France. He need not tell who were the authors of this plan, and what was the innuendo of the means at their disposal. Its operation had been for some time sensible, and there had been formed what the public called the sinking-fund of the journals. Wherever it was possible, the journal was bought in whole, if not in part ; and this partial purchase afforded the means of introducing discords, which gradually destroyed it. Where a purchase could be made, neither in whole nor in part, there remained a last resource ; this was prosecution. The orders are given, and the advocate-general brings to the court a charge of *tendency*. Previous to this step, propositions of acquisition, formerly rejected, had been perseveringly renewed to the proprietors of the *Courier François*. The gilded agents of administration had multiplied the most seducing offers ; his clients had been besought to set a price on their property. They had been asked how many hundreds of thousands of francs would satisfy them ; and a threat had been added, which he could not repeat without blushing with indignation, that the refusal would be



followed by a new suspension. All attempts to purchase in whole, or in part, having failed, it was sought to put this threat into execution. "Sell yourself, or die," was the principle now proceeded upon.

M. Mithon then endeavoured to show, that the particular charges against the *Courier* were altogether vexatious. It was truly singular, that the articles respecting the war in Spain, and the elections, though they appeared at a time when these events were passing, and the public mind was in a ferment respecting them, should have appeared without the slightest animadversion; and that now, when everything was quiet, they should be brought forward in a mass, to overwhelm their authors. If the information of the *Courier*, taken from the English papers, had proved sometimes erroneous, the veracity of the bulletins themselves had not been always proverbial. In regard to Riego, the *Courier* had merely repelled the charge of his having met death like a coward; this surely was not a question on which the peace of France could depend. On the subject of Morillo, Ballasteros, and Abisbal, since they were all three exiled and unfortunate, he would not enlarge; but he himself, and he believed every honest man, shared the opinion of the *Courier* in respect to them. The *Courier* had denounced the frauds committed in the elections; but other papers had done the same in the very same words, without being prosecuted. A noble peer, Baron Montalembert, had represented these proceedings as a deplorable scandal, sufficient, if they were continued, to corrupt a whole nation. M. Bordeau, one of the first magistrates in the royal court of Rennes, had denounced them to the Chamber of Deputies. Statements from other magistrates of the highest rank, had been laid before the Chamber of Deputies. M. Villele himself had repelled any idea of participation in these

shameful proceedings, and thrown the blame on the subaltern agents. The abuses disclosed by the *Courier* were but too real; and in that case to proclaim them was not to trouble the public peace; no! it was to fulfil a sacred duty.

In reply to these observations, the King's advocate solemnly declared, that the present prosecution had no connexion with the late affairs of the journals. It had been determined upon, at the end of the war in Spain, with the view of proving, that opposition in the journals gave them no right to insult the national glory, and range themselves under the banners of the enemy. He maintained, that a charge like the present, founded upon the general tendency of journals, and to be judged according to plain principles of equity, was alone sufficient to repress their abuses. A succession of charges, founded upon single and special grounds, would soon fatigue public opinion, and even the courts, and would render the repressive power odious or weak. It was but too well known, how easily an able and experienced pen, with the resources of a language so pliant and so rich in equivocal phrases, could cover fine allusions, irony, concealed meanings; the very points became significant. These forms of expression roused and fixed the attention, made the epigram more cutting, raillery more piquant, malignity more bitter. To leave these allusions unpunished, would render every repressive measure vain and illusory.

After a hearing of four days, the President astonished the public by the announcement,—“The court is divided.” No judgment was in consequence delivered.

At the same time, ministers were baffled in their attempt to prevent the re-appearance of the *Aristarque*, a royalist opposition journal, discontinued some time before, but now revived un-

der the auspices of La Bourdonnaye. We need not enter into the legal *minutiae* of the question; it is sufficient to observe, that the suspension was not considered by the court so complete as to subject the *Aristarque* to the law of 1822, rendering a royal licence necessary, for the setting on foot any new journal.

M. Villele, seeing all his attempts to subjugate the public press baffled, and all the mean and dishonourable arts exposed, by which he had attempted to effect that object, determined to cut the knot which he was unable to untie. Immediately on the rising of the Chambers, a decree was issued, re-establishing the censorship. This step, by the law of 1822, ministers were empowered to take, in the event of any emergency occurring which appeared to them to render it necessary; and the measure could be continued till a month after the next meeting of the Chambers. No such necessity was perceived by the public; but of it ministers were constituted the sole judges. The measure, however, served very ill the views with which it was adopted. Chateaubriand instantly produced a pamphlet, denouncing the unconstitutional and pernicious character of this and the whole train of measures pursued by ministers with regard to the press. This pamphlet had an immense circulation, and was followed by pamphlet upon pamphlet, which, in the absence of other forms of discussion, were eagerly devoured. The opposition journals came forth deformed with rueful gaps, left by the passages condemned by the censors, and which the editors were unable or indisposed to fill up. These excited the curiosity of the public, for whom it was an amusement to inquire what was the nature of the paragraphs thus mercilessly swept away. Free discussion had become so much a necessary to the French public, that

the absence of it was unwelcome almost to every class; for even the ministerial journals lost their interest, when there was nothing for them on the other side to discuss or to oppose. M. Villele, in short, felt a stronger tide of unpopularity setting in against him, than could have been produced by the efforts of the most active opposition press.

A different object soon came to absorb the attention of the French public. Since the return of Louis XVIII., his life had been only a long sickness. By constant care, and notwithstanding repeated alarms, it had been prolonged to the present period; but, on the 12th of September, a bulletin was issued, stating, that his old and fixed maladies had experienced for some days a sensible increase; that the state of his health was visibly altered; a severe cold was felt in the extremities; in short, that his end was approaching. On the 16th, he breathed his last. This prince had enjoyed the esteem of Europe. In very peculiar and difficult circumstances, he had steered a prudent and temperate course. His chief faults were indolence and gluttony, not very princely ones; and the unfortunate publication of his memoirs precludes the idea of his possessing any lofty intellectual qualities. At a period, however, when the object was rather to apply an opiate to the violent agitations of the public mind, the want of anything stirring and energetic in his nature was perhaps rather well-timed. He set out with a pretty large portion of general information, and even of liberal ideas; and the unparalleled series of suffering and wrong to which he was witness, never transported him beyond the limits of moderation, or inspired those violent enmities and extreme opinions, which they rendered elsewhere too prevalent. This disposition led him perseveringly to follow the difficult

course of striking a medium between the violent factions into which his kingdom was divided; a course which, even when violently driven from it, he still adhered to as closely as possible. The last measures of his reign, however unjustifiable, were forgiven to him, because he was evidently hurried into them contrary to his natural temper, by counsellors who were forced upon him.

The new King ascended the throne with a reputation not altogether so pure. In his youth, he had been accounted the gayest of that too gay circle in which he moved; and the extreme to which he carried the thoughtless, unprincipled, and extravagant habits which are learned in that school, was even alleged as one of the operating causes of revolution. Years and sorrows had since passed over his head, enough to sober the wildest temper. So far as can hitherto be observed, their influence appears to have been salutary. He seems to have corrected these first extremes, and at the same time to have retained those easy, liberal, and graceful habits, which form an ornament of royalty, and are calculated for carrying him smoothly through that somewhat rugged path, which a King of France has still to traverse.

In the replies which Charles X. made to the numerous addresses now poured in, there was observed, amid the formal and conventional character of such documents, a spontaneous expression of liberal sentiment, which imposed flattering hopes of a constitutional reign. In the determination expressed to "continue" the reign of his predecessor, there was a particular reference to the institutions which had emanated from that monarch. An amiable temper was also shown in his introducing into the council the Duke d'Angoulême, who, as nearest heir to the crown, stood in a

position usually productive of a jealousy, which the closest ties of blood cannot allay. That prince, too, however faithfully he had executed the purposes of the Holy Alliance, in reimposing despotism upon Spain, was supposed, from what he observed in that country, to have returned imbued with a certain portion of liberal sentiment. Accordingly, this spirit influenced, in very decided manner, several of the leading transactions of the new reign. The faculty of law at Grenoble, which had been suppressed several years before, on account of the political spirit alleged to prevail in it, was reinstated in its functions. This was followed by a much more important measure,—the removal of the censorship on the journals. The friends of ministers now held out, that its revival had been merely a temporary step, taken with the view of allaying those agitations, which the foreseen demise of the sovereign might be apprehended as likely to occasion. Without inquiring how far this was the probable motive, or actual tendency, of the measure, it may be observed, that the temporary suspension of this grand privilege, marked as it was by public reprobation, and general joy at its removal, tended to confirm more than ever the French nation in its possession.

Amid the first celebration of the new reign, with that parade of homage and courtesy which still continued characteristic of Frenchmen, all distinction of party seemed lost. Above all, the royalists out of power sought to distinguish themselves by a display of the most fervent attachment. Chateaubriand hastily put forth a pamphlet, "*Le Roi est mort ! Vive le Roi !*" in which incense was lavished on the King and the house of Bourbon, with a profusion bordering on servility. Rumour was busy as to changes probable or expected in the cabinet. After a short

time, however, it became evident, that the King was prepared to adhere to the counsellors and the system of his predecessor. The royalists out of power, as they lost hope, gradually relapsed into opposition; and all parties, in a short time, resumed the attitude which they had previously occupied.

The King called a meeting of the Chambers before the end of December, but as it would be obviously inconvenient to make a section of its proceedings, we shall reserve the entire consideration of them till the following volume.

## CHAP. X.

## SPAIN AND PORTUGAL.

*State of Spain.—Her Finances.—Views of recovering America.—Discussions with France.—Amnesty.—Landing of the Constitutionals at Tarifu.—Violent Decrees.—Partial Evacuation by France.—Conduct of the King of Portugal.—Insurrection by Prince Miguel.—Suppressed.—Subsequent Proceedings.*

SPAIN began the present year in the same enslaved, anarchical, and distracted state, to which she had been reduced by the triumph of the French arms, and the restoration of Ferdinand to absolute power—nor did there appear any prospect or means of her being able to emerge, or even avoid sinking deeper into it. Almost all the intelligent and industrious part of her population, those which would have roused her out of her slumbering apathy, and assimilated her condition to that of the more improved nations, were now become a persecuted and degraded caste, and were either begging their bread in a foreign land, pining in the depth of dungeons, or agitated by the perpetual dread of confiscation or death. Although there is much in the personal character of Ferdinand, which it is impossible to regard without detestation, we are yet obliged to confess, that the spirit of the tyrannical and oppressive system which he adopted, was shared by a large body of the Spanish nation. Of these, there was even a numerous class, to whom the principles of Ferdinand appeared too liberal, and his

sway too mild, and to whom nothing appeared satisfactory, short of an indiscriminate proscription of all who had any concern in the support of the constitutional cause. A natural propensity to violence, and the covetous desire of satiating themselves with the plunder of the liberals, many of whom were substantial citizens, greatly fanned the flame of their furious loyalty. Although the name of the Absolute King was used as a rallying cry, it was rather as a name under which every kind of violence might be committed with impunity, than that they were at all ready to yield obedience even to him, when his directions went to check them in their career. The only mitigation of disorder, was the partial one produced by the presence of French troops, who sometimes interfered to prevent outrages that were manifestly illegal, or open violations, under their eye, of the conventions which they had concluded with the Spanish generals. As their instructions, however, inculcated a strict adherence to the monarchical principle, and the abstract tenets of the Holy Alliance, and as they held themselves

ready to crush every shadow of resistance which might arise against the mandates of the prince, they continued still effective instruments in the hand of Ferdinand, for enforcing the system of government upon which he was determined to act.

The moneyed interest of Europe continued with their eyes intently fixed upon the Spanish cabinet, which was known to labour under the want of extensive funds, for which it was ready to make almost any sacrifice. The one, however, which was named as indispensable, being the recognition, in some shape or extent, of the constitutional loans, was obstinately refused. The great capitalists of Europe, now formed into a compact and extensive league, conceived it, under these circumstances, essential to their honour, and the general interests of their body, not to bring forward a single shilling. Yet would not this probably, amid the present redundancy of money, have prevented it from being raised in some shape or another, had there been any tolerable security to offer. But a government, which could not raise the funds necessary for defraying its current expenses, to say nothing of a load of old debt, presented itself as an abyss ready to swallow up everything, but with faint hope of ever rendering any return. Guebhard, indeed, pre-eminent among royal bankers, opened a loan at Paris on very advantageous terms, but was able to obtain only a few trifling sums, like drops of water, insufficient to cool the thirst with which the Spanish finance was afflicted. The French were the greatest sufferers; for, it being impossible to leave Ferdinand quite destitute on the throne where they had placed him, they had been obliged to advance nearly a million and a half sterling, to enable him to begin. They were also under the necessity of defraying the whole expense of the army of occupation, having in vain attempt-

ed to extort from him the share which he was bound by treaty to furnish. It does not appear, however, though the report was current at the time, that the French cabinet ever swerved so far from the principles of legitimacy, as to advise the recognition of the constitutional loan. Ferdinand, who saw that they did not and could not take any steps to obtain redress or payment, gave himself very little concern about the matter. He agreed merely, on their earnest demands, to inscribe the debts in the Great Book, where they remained, without payment, in any shape, either of principal or interest. The financial measures adopted by government, had little tendency indeed to lighten its distresses. The exemption of ecclesiastical revenue from taxes, which had been abolished under the constitutional regime, was now fully restored. A tax of 4 per cent was imposed on all mills and machinery employed in manufacture. The ruinous plan of royal monopoly was not only revived in regard to tobacco and salt, but extended to salted cod, an article which the ultra-catholic habits of Spain rendered an extensive necessity of life. By these measures, grievous privations were imposed on the nation, without any relief or benefit arising to the treasury.

The Spanish government, amid all its present embarrassment and distraction, kept its eye intently fixed on the recovery of the vast dominions which once belonged to it in the opposite hemisphere. All the direct efforts, however, which it could make for this purpose, had been exhausted by the elaborate fitting out of the Asia; and the transportation of a single regiment to reinforce the American armies, appeared evidently an undertaking beyond its strength. The only hope then lay in that mighty combination of potentates, which stood so deeply committed in favour of every monarchy, in

every part of the world, which should experience revolt and resistance on the part of its subjects. She adjured them, in the name of all the principles of conservation and legitimacy, not to allow so fatal a precedent as that of the triumph of so great an insurrection, now assuming a form decidedly republican. In the circular addressed by the Count d'Orléans, to the ambassadors of Paris, Petersburg, and Vienna, the failure of the attempts hitherto made to reduce the insurrection, was imputed to the rebellion which had prevailed in Spain itself. It was asserted, however, that the King had received numerous and irrefragable testimonies, that there existed an immense number of Spaniards faithful to their oaths of obedience to the throne, and that the sound majority of the Americans acknowledged the impossibility of that hemisphere remaining happy, without the maintenance of a paternal connexion with those who had civilized it. The King trusted that his allies would aid him in accomplishing this important object, and in maintaining the principles of order and legitimacy, the subversion of which, once begun in America, would be speedily communicated to Europe. In order still farther to smooth down the difficulties in the way of this object, it was intimated, that the King, in concert with his powerful allies, "would take into consideration the changes which events have produced in his American provinces, as well as the relations which have been formed with other commercial nations during the troubles, in the view of adopting with good faith the measures best fitted to consolidate the rights and just interests of the crown of Spain, and of its sovereignty, with those which circumstances may have created in favour of other nations." The engagement here implied had already been included in a decree issued on the 9th February, permitting a direct commerce of the ultra-marine

provinces with allied and friendly powers. This decree, however, was in a great extent hollow and imperfect, since it referred to a future decree, which was to fix the ports where, and the conditions on which, this trade was to be carried on, and, in the meantime, directed that everything should proceed in its ordinary tenor. This decree, therefore, was, in fact, a mere vague and distant promise which, considering the quarter from which it came, could not be the object of very implicit reliance.

What reply was made to this note by the powers concerned, remains hid in the secrets of cabinets. That some of them were thoroughly disposed to concur in the application, admits of little doubt; but the declarations of Britain, which made it be understood, that a war with her would be the consequence of armed intervention, paralysed even the boldest. France early declared her determination to engage in nothing beyond friendly mediation, having in view to obtain, at least, that, in the settlement of the new government, some respect should be paid to the principles of monarchy. In point of fact, no congress was held, and no measure, tending to fulfil the views of Spain, emanated from any of the great potentates, who were so deeply committed in the cause of legitimacy.

Although France continued to afford to the government of Ferdinand that support, without which it must have immediately given way, she scarcely made a secret of the entire disapprobation with which she viewed the mode in which it was administered; it involved, indeed, a breach of the most solemn engagements, under which she had chosen to come, in his name, to Spain and to Europe. She is, therefore, believed to have made pretty strong private remonstrances, which appear to have pointed at some kind of national representation, doubtless not on the

broadest basis, and to have strenuously urged, at least, an amnesty, with few and definite exceptions. Ferdinand, however, trusting that neither their political principles nor interest would allow them to take any strong step in support of these representations, entirely disregarded them, and even openly broke the military capitulations which had been concluded by the Duke d'Angoulême. Although the French continued to support, with their whole force, the tyrannical system against which they remonstrated, yet these remonstrances were sufficient to excite the embittered animosity of the apostolical Junta, and their adherents. The mob and the royalist volunteers, whose minds were strongly under this influence, were farther inflamed by the old national hatred, and by the mortifying situation in which Spain was placed by foreign occupation. These animosities gave rise, on several occasions, to quarrels and bloodshed; in Madrid, particularly, a scuffle having arisen between some soldiers of the two nations, the volunteers and the mob flew to arms, calling out "Death to the French!" and a sharp conflict ensued, in which the latter ultimately prevailed, but with the loss of a considerable number killed and wounded. The French commander-in-chief hereupon insisted upon Madrid being intrusted entirely to the guard of the French, a measure which, however necessary, could not fail to aggravate the indignant and humiliated feelings of the Spanish soldiery. Movements in fact took place among the high partisans of the Faith, having for their object to obtain an uncontrolled sway in national affairs, to re-establish the Inquisition, and likewise to commence a thorough proscription against the liberals, or all suspected of being such. A veil has been studiously thrown over the nature and extent of these movements, but the report was very current, that the sway of Ferdinand being con-

sidered as too mild and liberal, his brother, Don Carlos, was intended to be raised to the throne. The troubles, however, were soon suppressed, and their leaders, Capape, Merino, and the Trappist, were arrested, and brought to Madrid. Transactions of this nature somewhat disgusted Ferdinand with the royalist volunteers, a great part of whom were disbanded, and the encouragements offered for the formation of additional numbers withdrawn.

France, while she was thus supporting Ferdinand in his tyrannical train of conduct, had it always in her power to have brought him to reason by a serious threat of withdrawing her troops. Ferdinand knew too well the danger of trusting himself solely to the affections of his people, and had no courage which could lead him to brave these dangers. They appear, in fact, about the present time, to have made one faint effort to induce him to change his system. According to the original treaty of occupation, the French troops were not to remain in Spain beyond the 1st of July of the present year. Urgent as was the necessity for a prolongation beyond this period, the French government demurred to it without some concession. Ferdinand appears to have agreed to grant a kind of amnesty; and a treaty was signed, prolonging the occupation till the 1st January, 1825.—In this treaty the French were so idle as to complain that the whole burden of supporting the troops had been thrown upon them, and to stipulate for a more regular payment henceforth of the sum which was necessary to maintain them on the war footing. Ferdinand, having obtained his point, completely quenched the French as to his own part of the conditions. He published, indeed, something which he chose to call an amnesty, but, by means of an extensive system of exceptions, it was made to bear a directly opposite character. These exceptions included the authors of in-



urrection not only in the Isle of Leon, but in the different provinces in Spain; all concerned in the murder of the canon Vinuesa, which included a great part of the population of Madrid; all concerned in the condemnation of Elio; all the members of the Cortes who had voted for the removal of the King to Cadiz. In short, there was not an individual capable of being in any shape arraigned for his public conduct, who was not comprehended under the exceptions. The decree accordingly, justly characterized by the *Journal des Debats*, as a list of proscription under the name of amnesty, served as the signal of a general convulsive movement throughout Spain. The partisans of the Faith were enraged at the name of amnesty, yet found in its tenor ample ground for gratifying their hostile propensities; and Spain maintained a show of tranquillity, only within the small circle of the places occupied by the French garrisons.

In another respect, this amnesty brought on a crisis for Spain. By depriving the exiles of all hope of mercy, it drove them to desperation; and, hoping to find powerful support among the numerous sufferers by the present system, they determined upon an effort to retrieve their cause. Several expeditions were organized at Gibraltar, of which the principal, consisting of 200 men, under the command of Colonel Valdez, set sail, and arrived, on the 3d August, before Tarifa. They took the place completely by surprise, and carried it with the loss of only two wounded. Being joined by considerable numbers, both in the town and neighbourhood, they raised their force to between 4 and 500 men. O'Donnell, who commanded in the lines before Gibraltar, hastened to the spot, but was repulsed in an attempt which he made, on the 6th, to recover possession of the place. A more powerful adversary was not long of being presented. A body of

French dragoons from Cadiz, under Colonel Asley, arrived on the 8th, and Count Foissac Latour followed, with a large additional force. The French, however, also failed in an attempt to carry it by a *coup de main*, and were obliged to open regular trenches. At length, on the 19th, a practicable breach being effected, Tarifa was attacked, and carried. A part of the garrison escaped on board of the vessels; the rest were killed, or taken prisoners. These last were delivered to O'Donnell, to share the fate which Spanish vengeance destined for them; and upwards of a hundred were immediately subjected to summary trial, and military execution.

At the same time with the expedition to Tarifa, an attempt was made at Ximena to organize an insurgent force, but the arrival of a body of troops speedily suppressed it. An expedition also sailed to the southward, and effected a landing at Marbella and Almeria, but could not make any impression, and was soon obliged to reembark.

This attempt was probably, in every case, desperate; made, as it was, in the face of so numerous a party in Spain, and of an overwhelming foreign force. Any chance which existed seems to have been thrown away, by shutting their small numbers into a fortress of the third rank. The only chance, and, doubtless, a slender one, would have been to push a flying column into the interior, and endeavour, if possible, to excite a general rising.

This poor and abortive insurrection drove the court of Spain to the utmost extreme of fury and frenzy. Ferdinand publicly proclaimed his penitence for the measures of clemency in which he had hitherto indulged, and his determination no longer to expose himself to such a censure. All sound bearing arms, or in any way aiding the revolutionary attempt, were made amenable to military trial, which was to be conducted in the shortest possible form, and the

sentence to be executed with no delay, beyond that of administering spiritual aid. The army was to be submitted to a general purification; officers of every rank were to have their whole life and conduct investigated, with the view of determining whether they were fit to remain in his Majesty's service. Small offences might be wiped off by subsequent services, but all of a graver character rendered the guilty person *imparsiable*. All who should henceforth be connected with free-masons, or with any secret society, were declared guilty of high treason, and subject to its penalties; and none could be admitted to any office, who had not made oath of never having belonged to any such society. The royalist fanatics, taking the lead from these proclamations, began all over Spain a new series of plunder and persecution; Valencia and Alicant, in particular, presented fresh scenes of this nature, which threatened to end in a general massacre.

The French government, who had always disapproved of this course, seem now to have taken somewhat stronger steps to induce a change. It was announced to Ferdinand, that, unless this system were entirely altered, the French troops, conformably to treaty, would evacuate Spain, on the 1st of January next, and leave him to depend entirely upon the loyalty and attachment of his own people. Ferdinand, however, stood out, and determining to seek his safety in the terror inspired by the present system, threw himself only the more decidedly into the hands of the most violent party. Merino and the Trappist were released, and restored to favour; and every possible encouragement was given to the formation of numerous bands of royalist volunteers, who, it was expected, would defend the throne, at the price of being allowed to commit every sort of outrage on their adversaries. Under these circumstances, it was openly announced in the

French official papers, and re-asserted amid the incredulity of their antagonists, that the complete evacuation of Spain would forthwith take place. As the time approached, however, the courage of the French ministry failed, under the apprehension of the consequences which might ensue from this measure. They consented to an extensive modification of it. Twenty-two thousand men were to remain, and to occupy Cadiz, Barcelona, and all the chief fortified positions in the peninsula. The declaration that they were to withdraw the French troops from Madrid, and from the guard of the King's person, was not literally departed from, but in their room were sent two Swiss regiments, who, it is mortifying to observe, have always been the chosen and trusty guardians of despotism. Such an amount of force, occupying all the points at which resistance was likely to arise, was quite sufficient, in the present fallen and humbled state of the Constitutionallists, to prevent any effective reaction on their part, however oppressive might be the treatment to which they were exposed.

Portugal, at an early period of this year, was also the theatre of some remarkable events. Although the King had buried in oblivion his engagements to give to his people a constitutional regime of some description, yet his sway was, on the whole, mild, and the country enjoyed a tranquillity to which its neighbouring territory was altogether a stranger. This moderation was viewed with an evil eye by the Queen, the sister of Ferdinand, and animated by a spirit entirely congenial. In conjunction with her hopeful son, Don Miguel, she incessantly urged the King to adopt the same system of proscription which was carrying on in the sister kingdom. All their efforts and persuasions having been lost upon the mild and moderate temper of the old monarch, the resolution was at last formed to endea-

your fairly to set him aside, and to get affairs into their own hands. Miguel, having acquired a certain éclat by his share in subverting the constitutional system, and having ever since held his place of commander-in-chief of the army, possessed peculiar facilities for executing this nefarious project. On the 30th April, he assembled the troops in the great square at Belem, informed them that he had just discovered a most atrocious conspiracy, hatched among the freemasons, for the destruction of the throne and of the altar; and that this could be averted only by their paying implicit obedience to the orders which he was now to issue. The soldiers having answered by loud plaudits, and declared their readiness to follow wherèver he chose to lead, he ordered the immediate arrest of a vast number of the principal inhabitants of Lisbon, including Count Palmela, the prime minister, and several other of the members of government. This dutiful son then surrounded his father's palace with armed troops devoted to his service, extorted from him an approbation of his conduct, and a further decree for the immediate execution, with scarcely any form of trial, of all who should be deemed guilty of treason and freemasonry throughout the kingdom. Fortunately the King had by him Lord Beresford and the British minister, by whose advice he ventured on a decisive step. On the 3d May, not being held, it would appear, in actual durance, he repaired on board the Windsor Castle, a British ship of war then lying in the road of Lisbon, and where he was speedily joined by all the foreign ministers. Having once reached this place of safety, he put forth a declaration annulling all that had been done within the last four days, by himself, and in his name, condemning the conduct of Miguel, as having arisen from the instigation of evil advisers, removing that prince from the command of the army, and ordering

that no obedience should any longer be paid to him. The army, who, in what they had done, had no intention of acting against the will of the King, and no idea of supporting legitimacy by de-throning legitimate monarchs, did not show the least hesitation. Prince Miguel was soon deserted by all his followers, and obliged to come on board the Windsor Castle, to solicit pardon of his injured father; it was soon granted, though coupled with the condition, that he should spend a few years in travelling, for his improvement. It was also recommended to the Queen that she should retire to a palace in the country.

The King, on his restoration to power, having experienced, as above related, the fidelity of his subjects, and seeing that all his dangers arose from the faction of ultra royalism, manifested some revival of liberal views. He dissolved, indeed, the Junta for organizing a Cortes, which still existed in a dormant state, but immediately appointed another for calling together, simply and promptly, the ancient Cortes of Portugal. He issued also a real amnesty for offences committed under the constitutional system; he encouraged the formation of schools on the Lancastrian system, and the diffusion of knowledge among his people. As, however, his fears subsided, and the impressions of the dangerous character of the royalist party became more faint, the reluctance which seems rooted in the minds of kings to part with any portion of their power, began again to operate. Before the end of the year, another form of constitution came forth, altogether of a nugatory and illusive character. The two first orders, the nobles and clergy were to be represented by deputies, chosen by the King himself; and the corporations were to exercise their right of election only within narrow limits. The assembly thus constituted, were merely to advise the King on any sub-

ject which he might be pleased to refer to them, but were to have no farther power. Such a constitution, it was evident, could never satisfy the reason-

able expectations of the Portuguese nation, nor appease the dissatisfaction which was felt at the absence of all constitutional checks on arbitrary power."

## CHAP. XI.

## GERMANY AND THE NORTH.

*Views of Austria—Her Proposition to the Diet—Answers—Her other Measures.—Prussian Provincial States—Rigour of the King against the Universities.—Arrest of Cousin.—The Netherlands.—Norway.—Sweden.—Prussia.*

IN the proceedings of the Germanic body, the leading feature consisted in the unceasing efforts of Austria to establish throughout the empire one uniform system of police and administration, tending to the full maintenance of the monarchical principle, and the repression of everything hostile to its undisturbed exercise. In this view, towards the end of August, that power laid before the Diet what she called a presidial proposition, exposing, at full length, all the principles upon which it was deemed requisite that the German federative system should be maintained. It was laid down as indispensable, that the principle of government was to be throughout and essentially monarchical; that all sovereign authority must remain united in the head of the state, who could be limited by a constitution of states only in the exercise of some determinate rights. Within these limits, it was not demanded that a period should be put to the existence of the states, but it was required that no right or prerogative with which they might be invested, should come in competition with

the decisions of the Diet, which must always remain of superior authority. The publicity of their proceedings was alluded to with very peculiar jealousy; and while pretty strong disapprobation was intimated at its existence in any shape, a positive stipulation was required, that it should not be exercised in a manner offensive to any of the other federate states. The abuses of the press were then forcibly alluded to; and it was observed, that the restrictions imposed upon it must always be nugatory so long as there was any single state in which they did not exist; since the territory of that state might easily be made the centre of attack against all the surrounding governments. It was demanded, therefore, that whatever licence any sovereign might choose to grant as to internal affairs, he should rigorously oppose strictures upon the proceedings of any other of the German states, and his own administration. It was proposed that a general law for the regulation of the press should be matured, which might be put in force over all Germany; that, in the meantime, the

provisional law of 20th September 1819 should continue in force; and that the central commission of Mentz should be instructed to continue its researches with renewed activity. The abuses of the universities, and the anti-monarchical doctrines there taught, were also evils which called for the most serious attention. Not less momentous was the number and activity of the secret societies, within the interior of which were cherished principles the most hostile to those upon which the federation was founded. Against these, too, the law of 20th September 1819 was to continue to operate, and the commission of Mentz was to be invited to assume a fresh degree of activity.

The potentates, to whom this presidential proposition was submitted, had feelings and interests too closely allied to those of Austria, to be in any danger of giving it a very unfavourable reception; a great majority gave in the most unqualified and cordial acceptance. Among these we cannot but observe, with some surprise and mortification, that Hanover was one of the most cordial and decided. Wirtemberg, all along the most refractory member of the federation, accompanied her assent with such a series of modifying and explanatory observations, as rendered it very difficult to penetrate her real sentiments. Baden, also, in expressing her concurrence, stated the full confidence felt by the prince in the love of his people, and the absence of all fear, as to himself, of the dangers pointed out in the proposition.

Austria enforced these maxims of administration, not only upon the powers of Germany, but to the utmost of her means upon the neighbouring European states. In Russia and Italy the leading powers were abundantly disposed to act in conformity with her views. The grand object of her jealousy was Switzerland; and that free state was awed by her power into steps contrary to its charac-

ter and wishes. The exiles for political opinions were obliged to leave its territories, and a censorship was established on the press, so far as regarded the discussion of the politics of foreign states. Austria showed also not a very lofty spirit of precaution in prohibiting the entrance of her states to several British individuals, among whom were several ladies, the Countess of Oxford, and Lady Morgan, on account of their avowed attachment to liberal principles.

The King of Prussia, in the course of this year, fully acquitted his engagement of giving provincial states, such as they were, to the different provinces of his dominions. Those of Brandenburg, Lusatia, Pomerania, and Prussia Proper, had been already constituted. Decrees issued during the summer assigned the organization to those of Silesia, which were to meet at Breslaw; of Prussian Saxony, to meet at Merseburg; of Westphalia, to meet at Munster; of the States on the Rhine, to meet at Dusseldorf; of the grand Duchy of Posen, to meet at the capital of the same name. The constitution of all was similar to those of Brandenburg, and the others already formed. It consisted of three orders; 1. the equestrian, or that of the great proprietors; 2. the representatives of the cities; 3. the small proprietors cultivating their own demesnes, a class very numerous in Germany. In the Rhenish states, there was an order peculiar to themselves, consisting of the old immediate princes of the empire, eleven in number, the Duke d'Aremberg, the Prince of Salm-Salm, &c. who sat individually in their own right.

Not only were all the Prussian provincial states thus constituted, but those of Brandenburg, Pomerania, and Ducal Prussia, were actually assembled. The former met at Berlin on the 3d of October. We are sorry to say, however, that we have no materials from which to judge, whether they are acting as real and constitutional states, or as

the mere tools of the crown. Their deliberations are secret; a principle of itself contrary to any liberal principle of representative government. Not even a rumour or conjecture has arisen on the subject; and there seems, indeed, to have been throughout Germany a want of that interest which we might have expected to see excited by their meeting. The King is mentioned as having exercised, in several instances, the very exorbitant power which his constitutional act assumes, of putting a negative on the election of deputies; and though certain grounds only are assigned, in which such negative can be founded, yet he is left the sole judge of those grounds. The functions which the States are to be allowed to exercise, are very imperfectly determined by the constitutional act. It is only said, that no taxes beyond those already levied, can be imposed without their consent; but for the taxes already existing, their sanction, it appears, is not made requisite. In other respects, it seems to have been the King's intention to hold them rather as a royal council, or a body, to whom he may depute some secondary functions, than as a regular and constitutional check on the royal prerogative.

One circumstance, which must inspire great doubt as to whether the Prussian cabinet was actuated by any genuine spirit of liberality, was the activity displayed throughout the whole of this period in restraining the liberty of the press, and forwarding all the views of the Holy Alliance. With the students, it stood in a position peculiarly hostile. In December, 1823, a commission was employed at Berlin, to inquire into the secret societies which prevailed in that body, and particularly the *Burschenschaft*. This was described as an association widely diffused throughout Germany, having for its avowed object the establishment of a representative system, but in which

were, in fact, broached vague and dangerous sentiments of liberty and equality. In consequence of the report of this commission, orders were issued to apprehend a student at Halle. He was accordingly seized; but this event was immediately followed by a numerous assemblage of his fellow-students, who pursued the party that arrested him, to the town-house, where they held them besieged. The troops in the neighbourhood were immediately put in motion, and the most serious consequences might have followed, but for the prudence of the Vice-Rector, who prevailed on both parties to agree, that the offender should be placed in a prison, which it seems belonged to the University. Strict inquiries were, however, made, and several of the students were arrested and carried to Berlin, to be tried before the tribunals. At the same time, decrees of the most severe character were enacted, with the view of suppressing the *Burschenschaft*, and secret associations of every description. All students, previous to matriculation, were required to give proof of never having belonged to any secret society, and to make a solemn promise never to enter into one. The breach of this engagement was to render them amenable, not to the jurisdiction of the University, but to the ordinary tribunals. Professors were warned, that if ought not to be their chief object to instruct youth in the sciences, but rather to instil into them sentiments of veneration for the King and the state. The latter qualities, it was announced, would weigh much more than the former, in the choice of young men to fill public employments.

Nothing tended to excite a greater odium against the Prussian government, than the observation made, that the objects of its persecution were often individuals who had peculiarly distinguished themselves in the national cause, during the war of liberation. It seem-

ed difficult to suppose that such men should seek to overthrow what they had raised, or should have in view more than the establishment of a regular constitutional government. Among these was remarked Professor Jahn, who had manifested an extraordinary enthusiasm in the allied cause, and from the triumphal arch in front of the Tuileries, had pronounced an oration in praise of their exploits; but now, accused of demagogical practices, he was suffering the penalty of three years' imprisonment. Scharnhorst also, an officer who had distinguished himself during that campaign, died in disgrace. But the event which excited the greatest interest, was the treatment of Professor Cousin, a French man of letters of some eminence, who, in his passage through Dresden, was arrested on the requisition of the Prussian government, for the purpose of being brought to trial, on the charge of connexion with the seditious movements in Germany. The French journals, even of a royalist complexion, complained with some bitterness of this measure, as contrary to the law of nations, and particularly injurious to France, which ought to be cognizant of the offences of its own subjects. The German papers, however, were furnished with official replies, in which it was maintained that this arrest was the correct result of the general system of police established in Germany, which rendered all its different portions only one state, so far as regarded the repression of offences threatening the stability of its governments. The trial had not yet taken place at the close of the year.

In the kingdom of the Netherlands, the constitutional principle continued to operate in a regular and satisfactory manner. The King, at the opening of the session, was able to announce a reduction in the first part of the budget, from 15,875,805 florins to 13,275,446 florins, making a diminution of 2,600,980

florins, (216,740*l.*) In the second subdivision, indeed, there was a rise from 9,598,980 florins to 10,358,351 florins, making an increase of 759,371 florins. This, however, had been foreseen and provided for in the financial arrangements of last year. The King was, therefore, able to propose a reduction on the land-tax of from 15*½* to 5, and on the other direct contributions from the same rate to 13. This very peculiar favour shown to the landed interest, the propriety of which might have admitted of some dispute, was defended on the ground of the severe distress under which that interest had recently laboured. There appeared, however, to be in this as well as in all the other branches of national industry, decided symptoms and prospects of improvement. It was proposed, also, no longer to seek its promotion in that prohibitory system, into which, after it had been proscribed by the advanced state of modern science, and was no longer capable of finding a rational defence, the blind enmity and avidity of European states had caused an extensive relapse. With Great Britain in particular, it was now proposed to establish a system of almost complete reciprocity.

There was always some stir in the Swedish government, in consequence of the very independent character of its national assemblies. The Storting, or old parliament of Norway, had been re-established by Bernadotte, and had produced the effect of reconciling them to the unjust manner in which they had been made subject to his dominion. As it was not found, however, to work quite so smoothly as the King desired, he began to feel a wish to abridge those privileges which, in his first zeal to conciliate, he had lavishly granted. Propositions of this tendency had been presented to the Storting. Their object was to invest the King with the power of dissolving the assembly, in



stead of its having, as at present, a fixed legal duration—to give him an unqualified *veto*, whereas, at present, he had only a suspensive one, the vote of three successive diets being sufficient to convert any measure into a law, in the face of the royal dissent. Lastly, he proposed to establish a new hereditary nobility in Norway. These propositions having been reported against in the committee, were all rejected by the Storting in one day, without a single dissentient voice. The committee observed, that the constitution, good or bad, had been freely and solemnly accepted by the King in person, when he was Prince Royal; and one of its articles had fixed the rights of the reigning King and his dynasty to the throne of Norway. It was added, that “the King and the Diet might improve the details of the constitution, but not change its spirit.” If the Diet assumed the right of changing articles so essential as those now in question, what barrier would there be, if a turbulent and desperate faction should hereafter gain an ascendancy, to prevent it from infringing on the rights of the dynasty, and the succession to the throne?

Sweden began now to mitigate considerably her absurd system of commercial prohibition, warned by the increasing poverty which had been its result. The nation distinguished itself at this time by the great works of public utility which it was carrying on, and which had not been interrupted even by the severest pressure of the times. In the course of the past year, there had been completed nearly forty miles of the canal of Gotha, destined to reach across the kingdom, and to join the Baltic with the German Ocean, by a line of 216 miles, of which 132 were already navigable. It is deeper by two feet and a half than the canal of Languedoc, and by two feet than that of the Forth and Clyde. Another

canal joined the Baltic to the great lake of Hielmar, and enabled Orebro, though situated a hundred miles inland, to communicate with that sea. Other canals were carried on; great roads were formed across the mountains into Norway, and to the northern provinces of Dalecarlia, Jamtland, Wermland, &c. A number of local objects were also provided for, among which was a donation of 200,000 thalers, to accommodate and augment the library at Upsal, and the construction of a new map of Sweden, of which 900 square leagues were this year surveyed.

Russia presented, during this period, few or no materials for history. No more was heard of the Emperor's declared intention of giving to others of his states a representative constitution, similar to that which he had bestowed on Poland; and he did not even think it expedient to assemble the Polish Diet. He made an expedition to the Asiatic frontier of his empire, in the course of which he displayed those courteous and popular manners which always distinguished him, and showed a disposition to promote any means of forwarding the progress of civilization. Towards the close of the year, his attention, and that of the court, were almost engrossed by the calamitous inundation by which Petersburg and its neighbourhood were overwhelmed.

By the report of the Minister of Finances, it appears that the operation of burning the assignats which had been in progress, was suspended, it being judged more expedient to employ the funds in the reduction of the fixed debt. This seems scarcely a wise measure, since the actual amount of assignats, (a term of very *anti-monarchical* sound,) stated at 595 millions of roubles, must very much exceed what the circulation of Russia can naturally absorb; and they have suffered accordingly a most extensive depreciation.

## CHAP. XII.

## GREECE AND TURKEY.

*State of Greece—Internal Dissensions—Opening of the Campaign—Naval Actions—Samos—Junction of the Egyptian Fleet—Action between it and the Greeks—Further Losses of the Turks—of the Egyptians—Land Campaign—Fresh Dissensions—Defeat of Colocotroni—Negotiations between Turkey and the other Powers.*

GREECE had terminated the last campaign in a triumphant attitude, which seemed to place her deliverance beyond any further doubt. Having met and baffled the undivided power of the Turkish empire, she could never, it appeared, on any future occasion, have a mightier force to combat. The time, therefore, seemed come, when the Greeks could with advantage direct their attention to objects of internal improvement. Unfortunately, however, according to the too frequent fate of political societies, this suspension of foreign danger was the signal for internal feuds of the greatest and most alarming magnitude. Greece had never been fortunate enough to possess any single great man, like a Washington or a Bolivar, who, by overwhelming weight of character and talents, might distance competition; and whose virtues might secure liberty against the dangerous influence of a native military dictator. Maurocordato alone had political talents, and perhaps virtues, adequate to so great a place; but

the secondary character of his military genius and experience threw him necessarily, in such times, into a subordinate position. The lead was openly seized by those who had been foremost in guiding the Greek armies to battle; but these were merely rude bandits and adventurers, who could rally round them the fierce tenants of Masina and Olympus, but could neither practise nor tolerate any principles of good or regular government. Colocotroni, the head of this party, and, in fact, as Colonel Stanhope informs us, the best general in Greece, had so far overawed the Congress, as to make them place him at the head of the executive, in conjunction with Niketas, also a brave general, and Count Metaxa, his creature. These persons ruled Greece according to their will, levied taxes without the consent of Congress, and exercised every species of arbitrary jurisdiction. This was a system which the Congress was most fully justified in opposing; and in the resolution to do so, they were support-

ed by the islands of Hydra and Ipsara, whose great naval fame and exploits gave them a peculiar influence, and who decidedly espoused the republican form, tempered with aristocracy. The first step taken in pursuance of these views, was to depose Count Metaxa, whom Colocotroni employed as the resident member at the seat of government. This step was taken on the ground of disregard of the constitution, arbitrary proceedings, and illegal levying of taxes; grounds common to him with the other members, so that it could not be construed otherwise than as an open defiance of the whole body. Colocotroni understood it, and immediately hastened to the seat of government, with a body of troops; at the point of whose swords he demanded, that the legislative body should rescind their recent decree. The Congress acted with the greatest firmness. Finding their sittings no longer free, they adjourned to Argos, whence they issued a decree, declaring Colocotroni and his adherents enemies to their country, and divesting them of all their commands. A general disposition soon appeared throughout Greece to rally round the Congress. The primates of the islands, in a proclamation which they issued in support of this measure, used the following expressions: "We are at length obliged to break silence. Whilst we have sacrificed, during three years, our fortune, our vessels, our blood, to resist the formidable power of the Turks, and other barbarians, a band of robbers have spread over the whole country discord, disorder, and devastation; and, to gratify their own passions, have plunged unhappy Greece into an abyss of evils. Under their tyranny, the revenues of the state have been shamefully dilapidated, all good citizens discouraged, and the subsistence of the state sucked to the marrow; so that it will be difficult to find the resources necessary to struggle against its foreign enemies, and those of the interior, who

are not less dangerous." Colocotroni, however, with his adherents, Niketas and Mauro Michale, still continued refractory; and, being not only at the head of a considerable body of troops, but masters of Tripolizza and Napoli di Romania, the two capitals of the peninsula, they considered themselves in a full condition to make head against the Congress. The standard of civil war was thus openly raised; the warlike efforts of the Greeks were directed solely against each other; and all the advantages which the usual inaction of the enemy during this season afforded, were thrown away. The blockades of Patras, Coron, Modon, and Negropont, were either given up, or carried on so languidly, as to afford no hope of success. The government, meantime, pushed on its operations with vigour. They framed a new executive, at the head of whom were Conduriottis of Hydra, and Boudronni of Spezzia. Colocotroni held out for several months; but at the end of that time, finding that the general voice of Greece declared against him; that he was blockaded on the land-side by the troops of the confederacy, and on the sea-side by the squadrons of Hydra and Spezzia, he agreed to resign the odious power which he held, and to retire into a private station. On these conditions a general amnesty was extended to him and his adherents; Tripolizza and Napoli were then delivered up to the general government, and internal war ceased.

Although the Greek cause had sustained an irretrievable loss by these dissensions, there had yet, in the course of the spring, occurred events, tending materially to brighten its prospects. The first of these was the negotiation, in London, of a loan, to the extent of 800,000*l.*; an operation which, besides its solid products, inspired a favourable opinion of the cause, and gave them, as it were, a place among the civilized community of European states. Being

paid also to the regular government formed by the national representation, and which was carrying on a hard struggle to maintain good order and police against military licence, it tended greatly to improve the internal state of the country. Another event, which threw a peculiar lustre round the cause, was the arrival of Lord Byron, ready to devote his personal services, his fortune, and his fame, to the restoration of the glory and liberty of Greece. This, indeed, was only a flash, extinguished with the catastrophe which deprived the world of that great poet; but a certain light from it remained behind, which gave to the struggle of the Greeks a fresh importance, both in their own eyes and those of Europe.

Although considerable resources were thus obtained, and a tolerable state of union re-established, yet the Greek affairs wore such an aspect as inspired fresh alarm into the most sanguine of their friends. The preparations of the Porte, both by sea and land, were made with the greatest activity, and on a scale somewhat greater than on any former occasion. It was proclaimed, that, as soon as the season arrived for opening the campaign, she would put forth 100,000 men in arms. But the new element which was likely to operate with the greatest power, was the accession of the Pacha of Egypt. This chief, who had erected a power almost wholly independent, was formerly an object of peculiar jealousy to the Porte; but, impelled by the urgent nature of the affairs of Greece, she had suppressed, for the present, all jealous feelings. By offering her highest bribes, the place of generalissimo of her combined sea and land force, and the accession of conquered Greece to his pachalic, she tempted him to embark in this dreadful cause. Civilization, and even humanity, owed too much to the pacha, not to view him with grief thus leagued to their mortal enemies. •The

aid which he brought was formidable and alarming—much more so than was implied in the mere accession of numbers, to the amount of from 10,000 to 20,000 men. A considerable part of that force was disciplined after the European manner, under European officers, and furnished with all the European materials of war; the rest were hardened in protracted contest with the Nubians and Wahabis. From different circumstances, however, he was not in a condition to open the campaign simultaneously with the force fitted out from Constantinople, which therefore commenced singly its operations.

The first opening was terrible. Ipsara, one of the great naval bulwarks of Greece, and which had hitherto bid defiance to the whole power of the Ottomans, was the destined object. The attack had been for some little time foreseen, and preparations, though inadequate, made against it. On the 2d of July, the Captain Pacha sailed from Mitylene, and before day-break, on the following morning, was before Ipsara. After having raised an alarm in the quarter where the town was situated, he made the real attack on the opposite side, where he landed his whole force immediately, and almost without resistance. The events of this dreadful day have been reported only very imperfectly, by its distracted victims and witnesses. Treachery is charged against the Albanian troops, who guarded the point of landing; but the proof seems imperfect; and they are admitted to have fallen the first victims to the fury of the enemy. Surprise, darkness, and the impetuosity of the Turkish onset, seem at first to have carried all before them. The Greeks, as soon as they had time to rally, are said to have displayed prodigies of valour; even women joined in the contest, and preferred death to slavery. Overwhelming numbers, however, and probably troops more inured to war, enabled the enemy, in the course of the

day, to possess themselves of the whole island, except a fortified convent on one of the heights. The Greeks fled thither, as their last refuge, and repelled several attacks; but finding that they could hold out no longer, they set fire to the magazine, when the edifice exploded with a shock which agitated the island to its foundation, and was felt by ships many miles at sea. By this dreadful issue, many, both of invaders and conquered, were buried in one common destruction. All then that remained of the island of Ipsara was at the mercy of the barbarous victor. The three principal citizens had perished in the contest; the greater part of the inhabitants capable of bearing arms were put to the sword; the women and children, with all the plunder, were carried on board the vessels. In a few days, the children of the principal citizens, and ladies of the highest rank, were exposed for sale in the streets of Smyrna. The Porte exhibited to the citizens of Constantinople, five hundred heads, as the trophies of its triumph; and proclaimed, that this was only the first example of that signal and general vengeance which was about to be inflicted on the whole of this rebel and infidel race.

The friends of the Grecian cause could not avoid feeling deep alarm at this sudden fall of one of its proudest bulwarks, followed, as it was likely to be, by a succession of still more formidable attacks, directed against a nation paralysed by internal division. But Greece belied the fears, as much as she had done the hopes, of her well-wishers. This dreadful catastrophe was the signal to hush internal dissension, and call forth her united strength against the enemy. The malcontent chiefs were now the most forward to offer their services against the enemy. The whole nation was, as it were, combined into one movement, to retrieve and avenge the calamity of Ipsara. The Hydriots, whose situation and dangers were so

similar, were the most forward. They instantly fitted out all their force, and having received a large reinforcement at Samos, made for the scene of action. The Turkish admiral had by this time returned to Mitylene, leaving only a garrison of two or three thousand men to defend the island. These were unable to stem the furious attack of the Greeks, who soon became again masters of the island, and made, it may be feared, somewhat terrible reprisals. Several European merchants, employed in the purchase of plunder and slaves, among whom was the consul of one of the Italian states, fell, it is said, victims to their indignation. A considerable number of Turkish transports fell also into their hands. The Austrian *Observer* asserts that the Turkish admiral, on learning this descent, set sail from Mitylene, and the Greeks retiring on his approach, retook possession of the island: but finding it untenable, and reduced to a mere heap of rubbish, he again abandoned it. This is not mentioned in any Hellenic account; and it is at all events certain, that Ipsara remained ever after in possession of the Greeks.

The Porte now directed its united strength to another object. Samos, almost in sight of the coast of Asia, and making frequent and harassing descents upon it, had yet maintained itself completely inaccessible to the Ottoman arms. In this campaign it was determined and hoped, that this island would be made to share the fate of Scio. Vast hordes, collected in the interior of Asia, were encamped in a tumultuary manner round Smyrna and Scala Nova, which, with other cities in its neighbourhood, were in daily dread of being sacked, and of seeing renewed all the horrors which had marked the commencement of the revolution. To transport this army across, for the purpose of destroying Samos, the Captain Pacha, in the beginning of August, brought his whole fleet into the narrow channel which se-

parates that island from the continent.

The Greeks too mustered the whole of their naval force, and having here one of those rocky straits where their small vessels could act with advantage, hesitated not to bring them into the closest contact with the ponderous ships of the enemy. Without courting a general naval action, they were constantly at hand, at every point, to cut off detached vessels, and to embarrass every enterprise formed by the enemy. The Turkish fleet were only able to cannonade some of the fortified points of Samos, and soon found that they could entertain no hopes of effecting the destined landing, till they had driven the Greek squadron from the position which it had occupied. On the 16th, the Captain Pacha bore down, with the determination of bringing it to a general action. The Greek vessels had scarcely strength and weight to contend in open battle; but the hero Canaris launched his little fire-ship against one of the Turkish frigates, which instantly took fire, and in a few minutes blew up in the air with a tremendous explosion. The same fate soon overtook a large corvette and another smaller vessel; and the flames being communicated to a number of the surrounding transports, the whole fleet appeared in a blaze of fire. All the other vessels sought their safety by flying from so fatal a spot, and running into the creeks and havens of the Asiatic coast. A still more important consequence immediately followed. The huge host of barbarians, who covered all the surrounding hills, on seeing so total a discomfiture of their fleet, accompanied with circumstances so disastrous and appalling, were seized with that panic to which undisciplined troops, however brave, are liable. In a very short time, the whole of this numerous and formidable host disbanded, and sought their haunts in the interior of the continent.

Notwithstanding this utter discomfi-

ture in so grand a project, the Turks had still one quarter to look to for retrieving their affairs. The attention of the Pacha of Egypt had been distracted by a great conflagration, which consumed a large part of his magazines at Cairo, and also by an insurrection, raised by a remnant of the Mamelukes in Upper Egypt. Expectations were thus excited that he would renounce the idea of fulfilling the compact entered into with the Porte. He stood, however, firm to his evil purpose; and in the middle of July his son Ibrahim set sail from Alexandria with a large fleet, having on board at least ten thousand good troops. Ibrahim steered first for Rhodes, and spent some time in the Gulf of Macri. Early in September, he formed a junction at Boudrouni, in the island of Cos, with the fleet of the Captain Pacha, which, with the army on board, were all placed under his command. He found his allies fallen and broken by their late disaster, but he boldly announced his determination to retrieve affairs, and open a brilliant campaign. Miaulis, the Grecian admiral, did not decline the contest with his united enemies. He approached, and after a variety of partial actions, a general naval battle on a great scale took place, on the 10th. The Egyptians claimed the victory, and in fact a few small Greek vessels fell into their hands. But the blowing up of one of their largest frigates and another smaller vessel, with the destruction and capture of a number of transports, rendered the action, on the whole, disnaying and disastrous to them; and the Egyptian prince, for the first time, learned the character of the enemy with whom he had to contend.

The Captain Pacha, leaving a great part of his fleet with Ibrahim, returned with the rest to Mitylene. He suffered severely by a storm, besides which the Greeks closely followed his ships, and cut off several of his straggling vessels. They hesitated not even to follow

him into the road of Mitylene, and in an attack made on the night of the 7th October, succeeded in blowing up two large vessels, the report of which was heard almost in the Dardanelles, and conveyed by vessels through them to Constantinople, caused a considerable panic in that capital. The Turkish admiral lost no longer any time in placing his remaining vessels under the shelter of its forts. On his arrival, he made a display of a few Greek vessels captured in the course of the campaign, which he endeavoured to represent as triumphant; but his own ship without masts or sails, and the rueful aspect of his whole squadron, conveyed to the mind of the people a very different impression.

The Egyptian prince, meantime, still held forth his determination to proceed to the Morea, and even to make a winter campaign there. After lingering for some time in the Gulf of Macri, he steered for Candia, in the view of being joined by some reinforcements which the viceroy was sending; but the Greeks, through November and the following month, carried on with perseverance and success, their system of perpetual attack; and, though fortune was various, the loss and discouragement in his armament were on the whole so great, that he finally thought it most expedient to lay it up for the winter in a secure harbour.

The land campaign may be described in a few words, since it was almost a strict fac-simile of that of the preceding year. According to the original plan, Dervish Pacha from Larissa, and Omer Urione from Berat, were to penetrate through Thessaly and Albania, and to meet in the vicinity of Lepanto; there they were to find the fleet and force of the Pacha of Egypt, by whose means the whole were to be conveyed across the Gulf, and to overwhelm the Morea with their united armies. The Turkish generals made their way, through multiplied and harassing attacks on their

flank and rear, nearly to the place of destination, but, finding their force much reduced, and that of the enemy becoming daily more formidable, while there was no appearance or prospect of the fleet on which they depended, they judged it expedient to measure back their steps, and reached in a very shattered state the points from which they had set out.

On the side of Attica, also, the Turks made a considerable effort. Early in the campaign they landed a large force in Negropont, and easily succeeded in relieving the fortresses which Odysseus held under blockade. Being complete masters of Negropont, they crossed over to the continent. The Greeks found it necessary to give way for the moment, and, leaving the citadel of Athens garrisoned, retired to Salamis, or to the opposite coast. In the course of the campaign, however, they contrived so effectually to harass the enemy, that, before the close of it, he was obliged to fall back upon Negropont, and was reduced, even there, to a defensive position. Thus, all the movements of the Turks on the land side proved to be mere temporary irruptions, and they ended, on every side, exactly as they began.

Such was the brilliant and glorious termination of a campaign, the opening scene of which was so deeply overcast. The independence of the Grecian state was now felt as standing on a surer foundation than ever; yet at the very moment when she had triumphed over all her foreign enemies, she was again on the point of being rent asunder by internal disunion. Colocotroni, unmindful of the lenity with which he had been treated, again rallied round him his factious adherents, and even appeared in arms against the government. Its members were obliged to recall the troops acting against Patras, and the other points held by the Turks, in order to make head against him. An action took place near Tripolizza, in which Co-

locotroni was completely defeated, and his son, Pano, killed. Every attempt to rally his broken affairs was vain. He himself came into the power of the hostile faction, his adherents were outlawed, and obliged to seek shelter round all the neighbouring coasts. Thus the year had a termination every way auspicious for Greece.

It may be mentioned, that, in the course of 1824, the Greeks made considerable progress towards intellectual culture, and to taking their place as a civilized European society. Missolonghi, the rendezvous of the Philhellenes from western Europe, formed the chief point from which light radiated. The general government showed an ardent desire for the promotion of letters; Odysseus, though a rude warrior, proclaimed his ardent wish to restore the long lost glories of Greece. Colleges were founded at Argos and Athens, even amid the din of arms; and anxious hopes were cherished, that, under more peaceful auspices, they might restore these famed seats of ancient learning to somewhat of their former lustre.

The Divan, amid all the exigencies with which she was pressed, held towards other European states the same proud and capricious demeanour which she had assumed at the commencement of the Grecian troubles. At the urgent instances, indeed, of England and Austria, she allowed to be extorted from her a stipulation to grant to the passage of Russian commerce through the Dardanelles that protection, of the want of which that power had long indignantly complained; and Alexander then took the conciliatory step of sending Minziacky to reside at Constantinople as his commercial agent. It soon proved, however, that this stipulation extended little beyond words, no care being taken to impress it upon the Turkish agents, who seemed to take delight to act in diametrical opposition to it. In the same higher promises, though of a na-

ture somewhat more vague, were from time to time obtained, relative to the evacuation of Moldavia and Wallachia; but the time never arrived when some reason could not be urged for delaying their fulfilment. A supplication to the Sultan from the Boyars of Moldavia represented their country as in the agonies of death; it complained that all the rights which it had enjoyed from time immemorial were now trampled upon; that the exactions were such as to deprive the people of their daily bread; and that all the exemptions hitherto enjoyed by the privileged orders were entirely disregarded. It does not appear that any relief was obtained. Amid all these wrongs, Alexander maintained an attitude of murmuring forbearance; induced, partly by the representations of the European powers who wished to prevent a rupture, but chiefly by the new reverence with which he himself had been imbued, for everything in the form of old and established power. Meantime, the Porte considered herself entitled to complain somewhat loudly of the enthusiastic zeal displayed by British individuals in favour of her rebellious subjects, and of the money and supplies of various kinds which were transmitted to them. The following observations, in a note from the Grand Vizier to Lord Strangford, appear really to be somewhat plausible, though we should be very far from wishing to see them acted upon. "Supposing, it is said, (which God forbid,) that part of the subjects of Great Britain were in open rebellion against the King, and that the subjects of another sovereign in peace and amity with Great Britain (those of the Sublime Porte, for example) should send to them publicly aid of every kind, warlike supplies, provisions, money, and officers, would England admit as an excuse of such conduct, that the Porte had not the right or the power to control the actions of her subjects, because the



of the country gave to every Mussulman a right to make war against all who do not profess the same faith with himself? If these principles were once admitted, what would be the position of one friendly nation towards another? General peace, which England professes to have so much at heart, would depend no longer upon the stipulations of treaties, nor on public right. It would be at the mercy of the caprices and passions of the people. Does the ambassador believe us to be absolutely devoid of sense, when he pretends that his government has not the power to exercise a just control over the conduct of its subjects?—If

we are at peace with England, we have certainly a right to exact that the Court of London should not permit its subjects to make war against us. Why has not the English government held this language? Why has it never said a word to the British people which resembles friendship for us? The Sublime Porte demands, what she has a right to demand, and what England has no right to refuse, that the English should be prohibited from committing, henceforth, hostility against the Mussulmen, either in person, or by sending money and warlike supplies, as they do now, publicly and openly."

## CHAP XIII.

## AMERICA.

*Position of the South American States—Disturbances in Mexico—Expedition of Iturbide—his Death—Internal Arrangements.—Contest in Peru—Difficult situation of Bolivar—Dissensions among the Royalist Generals—Advance of Bolivar—Battle of Junin—of Ayacucho—Surrender of the Spanish Army—Close of the Contest.—Chili.—Buenos Ayres—Congress—Brazil—Violent Measures of the Prince.—United States—Commercial Tariff—Election of a President.—Hayti—Negotiation with France.*

WHILE, in Europe, a great cause of liberty and national right was so hardly and gloriously defended, a similar contest, big with vaster interests and higher hopes, was waging in the wide regions beyond the Atlantic. It wore, at the opening of the year, an aspect still more dubious and perilous. The independent party, indeed, possessed in every quarter a present superiority; but various causes threatened to unsettle the foundations on which their newly-organized power was beginning to rest. In the old world, the states confederated for the support of the principles of power and monarchy, had gained a decisive and general triumph; and they had unreservedly proclaimed their determination to support these principles with their utmost means, in whatever part of the world they might be violated or endangered. This resolution, manifested in the triumph secured to the King of Spain over all the

internal opponents of his absolute sway, seemed applicable, in a peculiar sense, to the American colonies, which exhibited the doubly-dangerous example of open revolt, and republican constitution. In fact, there was a very general belief through Europe and America, that large means would be employed for the restoration of Spanish ascendancy. In politics, the opinion of strength is strength. All, in the American states, whose partialities and interests yet attached them to this cause, assumed new courage; and the numerous class of those who calculate chances, with the view of attaching themselves to those which appear most promising, began to cast a favourable eye upon this side of the question.

The disposition arising from these causes, besides the direct danger of restoring the old system, generated also another, which might have led to consequences still more dreadful. The zeal-

ots of the independent cause, indignant and alarmed at these manœuvres, loudly demanded their repression, by means inconsistent with all order, and with the well-being of the state, which they would have plunged in total anarchy. The prompt trial and punishment of all suspected persons, and even the general expulsion of all native Spaniards from the limits of the state, were the measures called for. In Mexico, this spirit assumed a form peculiarly dangerous. A part of the army, under the command of a chief of the name of Lobato, threw aside all subordination, seceded, and sent in to the Congress a demand for the immediate adoption of the above imprudent measures. The Congress, however, acted with great firmness, and being supported by the nation, they put an end to the disturbance, and compelled the mutineers to submit, though without attempting to inflict any punishment.

In the course of the spring, the Congress drew up the plan of a constitution, formed almost strictly upon the model of that of the United States; a model which, after fifty years' experience, might no doubt be considered as safe; though some improvements might have been borrowed from that of Colombia. Both made an exception in the case of religious liberty, and introduced an article providing for the entire and sole establishment of the Catholic faith. This did not prevent them from making the most decided exertions to introduce the various branches of European knowledge, as well as to diffuse through the whole society the elementary principles of education.

The federal system, in its first establishment, finds a natural and powerful resistance in that local spirit which animates the great provincial capitals; the leading men of which feel themselves greater as the heads of a separate state, than as the subjects, or even members, of a Congress, held in a different

and distant city. This spirit now manifested itself strongly in Mexico. Guatemala, the territory which forms the link between the two Americas, and which, even under Old Spain, had been formed into a distinct intendency, proclaimed its resolution to form a state by itself, under the title of Central America; a step which its remote and very defensible situation deterred the Mexican Congress from taking any measures to oppose. It did not view in the same passive manner the similar attempts made by the peninsula of Campeachy. But the most serious point of resistance was at Guadalupe, a city situated little more than 200 miles from the capital, which it almost rivalled in magnitude, and surpassed, perhaps, in commercial importance. In this city there had manifested itself a very strong spirit of separation, supported and rendered formidable by another event, which came at this time to place in peril the very existence of the Mexican republic.

We have seen in a former volume the rise and fall of Iturbide. Driven from the throne which he endeavoured to establish on the ruins of national liberty, he was treated with signal lenity. He was allowed with his family to retire unmolested to Italy, and on condition of continuing to reside there, was to receive a pension such as enabled him to live almost in princely splendour. The name of emperor, however, though borne only for a fleeting moment, has charms which it is difficult to forget. The disunion which prevailed in the great country over which he once hoped to rule, inspired Iturbide with the hope that he might again obtain and preserve a footing there. Having repaired to England, he set sail from Portsmouth, emitting, at the same time, a proclamation, in which he openly avowed his intention of landing in Mexico. His object was proclaimed to be, at once to appease the

intestine dissensions of that country, and to defend it against those hostile designs of the European potentates, which he represented as imminent and formidable. We shall not deny the possibility, that he might persuade himself into a sort of sincerity upon these particulars ; but, in point of fact, it is very evident, that his arrival could have no effect but to introduce a new element of discord, the effect of which must be, to render them still more liable to fall the prey of a foreign enemy. His friends put forth also as a defence, that the stipulated pension had lately been withdrawn, on the pretence of his having left Italy, though his doing so was represented as a matter of necessity. We have not materials for entering into this question ; but it is obvious, that this ground of defence is in direct contradiction to his own profession of being actuated solely by patriotic motives, and having no object but the peace and advantage of Mexico.

The central government, on receiving intelligence of this movement, saw immediately the necessity of acting with the greatest vigour. Unless the disturbances, which were carrying on, either in direct or implied concert with Iturbide, could be thoroughly suppressed before his appearance, a civil contest of the most formidable character could not fail to ensue. Already, in Guadalupe, Quintana Roo, the governor, and Bustamente, the military commander, manifested an entire disregard to the wishes and orders of the general executive ; cries of " Long live Iturbide ! " were winked at, and even encouraged ; Garcia and Rosenberg, two individuals who had adhered to the last to the party of the Ex-emperor, were promoted to important commands. Remonstrances having been in vain made against these proceedings, the central government determined no longer to keep any measures. Orders were given to General Bravo, who commanded their ar-

my, and whom they had invested with a sort of dictatorial power, to march direct upon the seat of the refractory state. On the approach of Bravo, it became evident, that the resistance was the mere work of a few factious leaders, who in vain endeavoured to muster any force capable of opposing him. On the 11th June, he entered Guadalupe without resistance, the malecontent chiefs retreating before him, and seeking refuge in the most northerly extremity of Mexico. Garcia and Rosenberg, however, still held out in Tepic, an important commercial place, which the interesting narrative of Captain Hall has rendered familiar to the British reader. Don Louis Correa being, dispatched against them with a body of troops, they marched out to meet him ; and a sharp conflict ensued, which soon, however, issued in the total discomfiture of the insurgents, the greater part of whom, including their leaders, were made prisoners. Pardon was extended to all except the chiefs, who suffered the punishment of rebels.

Meantime, Iturbide was on his voyage from England ; while the government of Mexico had issued a decree, ordering, in the event of his setting foot on any point of its territory, that military execution should be immediately performed upon him. A deep interest prevailed in both continents, respecting the issue of an adventure, which was to decide the fate of so large a portion of America. On the 28th of June, Iturbide arrived in the bay of Mexico, and anchored first near the island of St Bernard, an almost uninhabited part of the coast. Colonel Benesqui, a Pole, attached to his fortunes, then landed with the view of endeavouring to obtain information ; but after going about for three days, he met only Indians, from whom he could learn nothing. Iturbide then determined to make directly for Soto la Marina, one of the few points on the eastern coast of Mexico,

on which a landing could be effected, and where the command was vested in De la Garza, an officer from whom he appears to have entertained favourable expectations. On their arrival, on the 13th, at Soto la Marina, Benesqui immediately waited upon that officer, and stated, that he, with a companion whom he had left on shipboard, had come for the purpose of treating with the Mexican government on a plan of colonization. Garza having strictly interrogated him on the subject of Iturbide, Benesqui declared, that at the time when the vessel sailed, that personage was living in a retired manner with his family in England. Benesqui then returned to the vessel; but the Spanish commander soon after learned that he had again landed, and was walking on the shore with a companion. His suspicions being still awake, he hastened to the spot, and in that companion immediately recognized Iturbide. He caused him to be arrested; and though the decree of the General Congress would have authorized him to proceed to immediate extremities, was induced, as he states, by his peaceable demeanour and defenceless state, to refer his fate to the Provincial Congress at Padilla. This, we may observe, is Garza's official statement; for Captain Welsh represents that officer as having invited Iturbide on shore, and even proclaimed him Captain-general; but this last part, at least, of the statement, appears devoid of all probability. The Provincial Congress, on being met, immediately determined that the decree of the general government should be put into execution; and Garza dreading, as he mentions, lest a movement of sympathy should arise among the people, caused Iturbide a few hours after to be shot by a party of his troops.

Although there was something painful in the circumstances of this transaction, the Mexican government appear to have been fully justified by the hos-

tile purposes with which Iturbide landed, and the dreadful consequences which might have arisen from even his partial success. His friends exclaimed, that he had been made amenable to a law, of which it was impossible that he could know the existence; but there is, we imagine, a standing law of nations, according to which he who enters a country, with the avowed purpose of subverting its government, is to be considered either an invader or a rebel, and treated as such.

The independence and political union of Mexico being thus decided, all that remained was to suppress its internal disorders. One of the most grievous consisted in those numerous bands of robbers, who had sprung out of the dissolution of the armies lately engaged in civil dissension. Even the most public roads could not be traversed with safety; and several English travellers, in their way from Vera Cruz to the capital, had lately been robbed and murdered. The application, however, of the national force to this object, and the capture and execution of Gomez, the most formidable of these bandits, soon began to make the nation feel the blessings of security. A law was passed for the abolition of the slave trade. The constitution being matured, was begun to be put in action; and the first operation was the election of a President. The choice fell upon Vittoria, instead of Bravo, whose late eminent services it was expected by many would have secured him the election; but Bravo having accepted the Vice-presidency, dispelled all apprehension of feuds arising from this cause. On the 4th of October, the constitution was solemnly subscribed and sworn to, and its publication ordered. On this occasion the executive body presented to the nation a manifesto, in which they drew a picture of the state in which Mexico had been at the commencement of the year. "With an exhausted treasury—with a

paper money at a discount of 75 per cent, with a want of credit which had reached its height—with resources either remote or difficult—without economy or system in the administration of the public finances—with an army unprovided, unarmed, and undisciplined—with our little navy in want of everything, incomplete in action, and even nothing in the harbour, before the value of equipping it was paid. On the other hand, without consideration in Europe, without official contact or relation with any one of the nations which compose it, without alliances with the people on this side of the Atlantic—in addition to this, with powerful and exasperated parties in the interior—with conspiracies succeeding each other every moment—with authorities of the first consequence acting in an equivocal or hostile manner—with the first Congress opposed by public opinion on account of the *convocatoria*—with a part of the provinces anticipating a movement which was to be legal, uniform, and simultaneous, with marked symptoms of a dangerous dissolution on some points—in fine, with others scandalously subverted in the very seat of the Supreme Power, with a capital in the hands of a faction, and the government seeking an asylum in the bosom of the Congress.”

A happy change had now taken place in all these respects. “Our credit has perceptibly recovered, our paper money is at par, and almost all redeemed—the civil debt is satisfied—part of the loan which had been authorized by the government has been contracted for, and the remainder has been lately stipulated for on much more favourable terms. As for our defence, means have been taken to create an armament of great amount, while in the meantime our veterans are clothed and armed, discipline established, and the excess of officers considerably reduced.”

In regard to foreign relations, there was, indeed, in consequence of the re-

establishment of despotism in Old Spain, no longer any hope of an accommodation with that power. Close alliances had, however, been formed with the United States of America, and with “the warlike republic of Colombia.” Consuls from the King of Great Britain had been sent to reside in that kingdom; and “from the frank, kind, and friendly conduct of that nation towards the Mexican, we may hope that within a short time the independence of the nation of Anahuac will be recognized by the mistress of the seas.”

Peru, the other great member of Spanish America, was, throughout this year, the scene of still more eventful vicissitudes, and, finally, of still more important and decisive results. We have seen last year, at the close of the dreadful dissensions which agitated that state, Bolivar compelled to assume a dictatorial power, under the name of Liberator. Unfortunately, his appearance in that character was almost immediately followed by the overthrow and nearly entire destruction of the army of Santa Cruz. The consequence was, that the whole of the Spanish royalist force was in a condition to march upon Lima, and Bolivar had nothing to oppose it, but the inferior number of Colombian troops which he had brought with him. He felt himself thus under the absolute necessity of abandoning the capital, and falling back upon Truxillo. Callao, the fortified port of Lima, was still held by a garrison of troops which had come from Buenos Ayres; but these troops, being composed of negro mercenaries, mutinied for want of pay, and opened their gates to the royalists. The distress of Bolivar was also increased by a movement which took place in Pasto, Popayan, and other districts of what may be called Peruvian Colombia, which had always shown a strong disposition in favour of the European cause.

Colombia, it must be confessed, was

now placed in a somewhat embarrassing situation. A poor state, with all its resources exhausted by the long civil war which had been necessary to assert its independence, all its internal wounds yet bleeding, was called upon to achieve singly the conquest of a country much superior to itself in resources. In such circumstances, there arose a strong party, who urged, that Colombia ought to husband her few remaining resources, which might soon be all wanted in her own defence, and not to waste them in a distant and arduous contest, with which she had no immediate connexion. It was triumphantly replied, that the cause of Colombia could not be separated from that of Peru; that if the royalists were allowed to consolidate themselves in the latter country, and to receive successively even the small reinforcements which Spain could send, they would soon be in a condition to invade the republic, and if not to conquer it, at least to carry on a permanent war, the more formidable from the malcontent disposition of the provinces immediately bordering on Peru. The only secure, as well as glorious path, was to connect her own safety with the general deliverance of the continent. Her resources, indeed, were inferior to those of the country which she had undertaken to liberate, yet she had a victorious band, trained in many a glorious and dreadful field, who at present would probably be an overmatch for the mercenary levies of the Viceroy. If disbanded, or allowed to sink into the rest of peace, they might lose that superior character, and cease to be even effective instruments of defence. These arguments were justly regarded as sufficient to decide the question; it was resolved to continue the war; and all the disposable troops were embarked at Panama, to reinforce the army of Bolivar.

Meantime, a question presented itself to the royalist chiefs, their decision on which was awaited throughout Ame-

rica with the deepest anxiety. La Serna, created Viceroy by the troops, and Canterac, his second in command, had acknowledged the constitutional government, to which they were even supposed peculiarly attached. It appeared then doubtful how they might be affected by the intelligence of the restoration of Ferdinand by a foreign army, to absolute power. The tidings, however, reached first Olaneta, who commanded a separate army on the borders of Tucuman, to watch the force of Chili and Buenos Ayres. Olaneta instantly proclaimed, with expressions of fervent loyalty, the absolute king, the re-establishment of the ancient regime, and strict submission to it. La Serna, on receiving the accounts, acted in a manner somewhat different. His proclamation strongly censured the step taken by Olaneta, as being founded on insufficient information, and, at all events, inconsistent with the character of a subordinate officer, who, on so important a point, ought to have waited for the instructions of his chief. Since the step had been taken, however, he concluded with a similar acknowledgment of the absolute king, and instructions implicitly to obey him. This severe censure of the haste of Olaneta seems to have been prompted by the event itself being rather unwelcome, and otherwise appears somewhat unseasonable. In Olaneta it kindled the most violent resentment, and produced the singular effect, that, after some vacillation and dubious conduct, he at length declared openly for the independent cause. We do not wish to be inquisitorial as to the motives of a proceeding so beneficial in its effects; though it may be difficult to assign any other than personal pique. Be this as it may, his defection materially weakened the royalist cause; since it not only deprived it of the services of his own corps, but obliged them to detach Valdez to watch its movements.

While the royalist army was thus

weakened by division, that of Bolivar was daily regaining its strength. The scattered remnants of the Peruvian army were gradually collected, while more valuable reinforcements arrived from Colombia by the way of Panama. In August, he found himself strong enough to take the field, and advanced, not direct upon Lima, but through the interior valley of Jauja, trusting that if, in this direction, he could drive the enemy into Upper Peru, and cut off their communication with Lima, the capital must fall of itself. The royalist chiefs manifested their weakness by retreating before him. On the plain of Junin, he came up with their rear-guard, consisting of about 1000 cavalry, which covered the retreat of the infantry. Although his own advanced guard, also of cavalry, was little more than half that number, he made no hesitation in attacking it. The combat was obstinate, and with considerable loss on both sides, but it terminated in the complete defeat of the royalists. Although this was only a partial action, yet the defeat of the royalist cavalry, the arm in which they were strongest, decisively marked their general inferiority in the field. La Serna accordingly continued his retreat uninterruptedly upon Cuzco, and ordered the garrison of Lima to join him in that direction. Bolivar then marched to the capital, which he entered without resistance.

Upper Peru had been always the quarter in which the royalists had gathered their strength, and come down in a victorious attitude. Accordingly, La Serna and Canterac, having called in the corps of Valdez, had assembled a force of upwards of 9000 men, which considerably outnumbered that of their antagonist. General Sucre was now obliged to retreat in his turn. The enemy pressing close behind, and having succeeded in cutting off part of his rear-guard, his retreat threatened to become very disastrous. In this critical situation, he formed a bold and decisive resolu-

tion. Having come up with the enemy on the plain of Ayacucho, though his force fell short of 6000, yet, trusting to their superior valour, he hesitated not in leading them on to the attack. The battle was sharp; but it soon terminated in the most signal rout of the royalist army, the Viceroy himself being wounded and made prisoner. Canterac then signed, on the field of battle, a capitulation, by which he himself, with the whole of his remaining army, and every thing military belonging to the Spanish government within the extent of Peru, were surrendered into the hands of the independent government. The only stipulations made were personal. The officers and troops were to be allowed, if they chose, to return to Spain, or to reside in the country unmolested, during good behaviour, and were, in the meantime, to draw their half-pay. Such also as chose were to be allowed to enter into the independent army, preserving their respective *grades*. Bolivar, in announcing this event to the people of Lima, laid down at the same time the authority and name of Liberator, become no longer necessary, in consequence of all the objects being fulfilled, with reference to which it had been originally assumed.

Such was the final close of this great contest, maintained by these young states against the cruel and debasing tyranny under which they had groaned for so many ages. Spain lost her last feeble hold of that continent, over which she had so long exercised supreme dominion; and the old and new worlds were finally severed. This event also took place too under circumstances which afford the most favourable omen of a peaceable and prosperous career; almost an assurance that the ravages of internal anarchy will no longer be felt. The presiding power and genius of Bolivar, who in talent and virtue seems quite to equal Washington, will be sufficient to suppress any tendencies to disorder and tumult; while there seems



no room to apprehend, that they should be employed in establishing a selfish and tyrannical domination.

The history of Chili was not marked by any striking political events. An expedition was fitted out against the island of Chiloe, which met at first with some success, but was finally unfortunate; so that this remained the solitary position held by the old Spaniards in Chili, and finally in South America. It would seem to have been wiser had the Chilians directed this force to the support of the hard struggle maintained by the independent cause in Peru.

Buenos Ayres, during this period, was happily\* emerging from that abyss of anarchy in which she had been plunged. She had been peculiarly fortunate in Ribadivia, the secretary of government, whose exertions had been indefatigable to introduce order into all the branches of administration, and particularly to promote the progress of knowledge and intellectual culture. In the beginning of April, the election of a governor took place, and the choice fell on Gregorio de las Heras, an individual described as highly meritorious, and likely to continue to act upon the system of Ribadivia. In the message of the executive of the 3d May, a favourable report is given of the progress making in all the branches of government and public economy; police, agriculture, finance, public instruction, and charitable establishments. The orderly manner in which so delicate an operation as the election of a governor had been conducted was also a most favourable omen of the future peace of the state. The grand object, with a view to the welfare of the Platane states, was the union of its different members into one body. The provincial spirit, always the scourge of these new governments, had raged here with peculiar violence. The provinces, besides the particular pretensions of each, concurred in a general

jealousy of the supremacy claimed by Buenos Ayres; though this seems sufficiently authorized by its magnitude, and the advantages of its situation. The merit and address of its present rulers, with the visible prosperity which Buenos Ayres enjoyed under them, enabled them, in the course of the present year, to make a grand step towards overcoming these obstacles. On the 12th December, a National Congress was assembled at Buenos Ayres. Las Heras, in his opening address, expatiated on the benefits which the provinces would enjoy from the union now about to be happily effected. He congratulated them on the amicable position in which the republic stood with regard to all the powers of America, with the single exception of Brazil, whose conduct in retaining possession of the Cisplatane territory, and endeavouring to give to this occupation the appearance of legality, was bitterly complained of. In regard to Europe, it was observed, "As to the great powers, some show a vacillation, and others a decided malevolence towards our republic. This is a consequence of the false position in which they have placed themselves. Royalty enjoys real power only by borrowing its means from the improved state of society. Kings, dreading the general movement round their thrones, wish to return to their former immobility. Hence has sprung the inexplicable dogma of legitimacy which torments the nations of Europe, and for the support of which the Holy Alliance has been framed. The Holy Alliance can scarcely recognize governments like ours, whose origin does not ascend to the dark ages, and which are founded only on the rights of nations. Nevertheless, we have no room to fear that the troops of the Holy Alliance will cross the Atlantic to restore here the odious legitimacy of the Catholic King. Great Britain, free from any engagement with these allies, has adopted towards the States of America the most

noble conduct, such as suits the most civilized, the most free, and thence the most powerful nation in Europe. The solemn acknowledgment of our republic will be the consequence of the principles which she has proclaimed. Believe, gentlemen, that this important event depends solely, in regard to our provinces, on their showing themselves united as a nation, and capable of maintaining the good institutions which they already possess."

The Prince, or, according to the title which he chose to assume, Emperor of Brazil, had made a somewhat ostentatious profession of liberal principles. He had added the title of Constitutional to that of Emperor, and had called a Congress to deliberate on a system for the future government of Brazil. In this assembly, however, the opposition, headed by the Andradas, two ministers whom he had lately dismissed, soon gained a complete ascendancy. They refused to the prince all the disputed points, the veto, the power of dissolving the national assembly, and restricted his authority within the narrowest limits. The Andradas also conducted a newspaper, in which the measures of government were subjected to the severest censure. The young emperor, not deeply imbued with the constitutional principles which he professed, was seized with indignation, and had recourse to the most violent and irregular measures. The army were the illegal instrument brought into play, and they were induced, still more illegally, to come forward in their own name. The emperor, having assembled them round his palace, sent a message to the assembly, stating, that the army felt itself aggrieved by newspapers, known to be conducted by some members of the assembly. The Congress, on receiving this singular message, sent two secretaries, requesting to know what officers considered themselves injured by the journals in question. The complaint was stated, in reply, to be made by a body representing the whole of the army.

The minister of the interior, on being called upon by the assembly, admitted that no steps had been taken, in the regular course of justice, to repress or punish the licence of these journals. While this answer was under deliberation, intelligence was received, that the army was under full march, holding in its hands ample means of terminating every discussion. The place of meeting was soon surrounded by troops, and an officer appeared, bearing the emperor's mandate to dissolve the assembly. About twelve of the leading members of opposition were arrested as they went out, and carried to a small prison in the mouth of the harbour, previous to deportation to a more distant quarter.

Such proceedings require no comment, nor need much be said to show how inconsistent they were with every idea of a constitutional administration. This much only can be said for the prince, that he accompanied them with proclamations, in which he denied most solemnly every project of establishing an absolute government. Soon after, he put forth the project of a constitution, which, on the tacit consent of the people, might be used as provisional, with the evident hope of its afterwards being more regularly approved. We hesitate not to say, that this constitution appears very unexceptionable, provided it be observed; but if, whenever the emperor sees any results arising out of it, contrary to his wishes, he thinks himself entitled to tear it up, and plant another in its stead, it can never be more than a mere empty show. Even the having once done so must be a precedent of very evil tendency. However, it must be allowed, that the constitution thus given has as yet been pretty faithfully adhered to. Indeed, he was kept during this year very much on the alert, by the apprehension, resting on very slender rumour, of invasion from Europe. The northern provinces, meantime, proved very refractory, particularly Pernambuco, which even set up

an independent republican government ; and it required a strong force by land and sea, the latter commanded by Lord Cochrane, to compel the inhabitants to incorporate themselves into the political system formed by the emperor.

The career of the United States was generally prosperous and happy, and great interior improvements continued to be carried on. The chief legislative regulation was the formation of a new tariff, founded, we are sorry to say, on the most unenlightened principles. Its object was to impose duties, not prohibitory, but heavy, on all foreign, particularly manufactured goods ; thus to narrow the enjoyments and accommodations of their own people, and to force their deficient capital into a less natural, and therefore less advantageous channel. The United States add thus another example of the remarkable fact of popular governments adopting the most illiberal views upon commercial subjects. It is indeed truly singular, that while all the great commercial states of the old world are throwing off the fetters of an exploded system, the Americans should seize that very moment blindly to entangle themselves in them.

A more than usual agitation was excited, towards the close of 1824, by the election of a President, an event which takes place every four years. Four candidates started, each of whom was powerfully supported, and the canvass was carried on with extraordinary ardour, though without committing, in any degree, the public tranquillity. The northern states, federal, commercial, and intelligent, gave their vote for Mr Adams, a moderate and highly respectable statesman, supposed to entertain views nearly similar to those of the British cabinet. On the other hand, the Carolinas supported General Jackson, who had distinguished himself by the successful defence of New Orleans, and who professed the highest democratic principles.

Their party was powerfully and unexpectedly strengthened by Pennsylvania, which seems to have departed from its usual sobriety in making this choice. Virginia brought forward Mr Crawford, who stood foremost among its rich planters, and was joined by Georgia ; while the states beyond the Allegany almost unanimously gave their vote for Mr Clay. The final result was as follows :

Jackson, . . . .	101 votes.
Adams, . . . .	82
Crawford, . . . .	41
Clay, . . . .	37

Mr Jackson would thus have indisputably gained the election, but for a provision in the American constitution, by which, in case none of the candidates obtain two-thirds of the whole number of votes, the definitive election is referred to the House of Representatives. This remarkable privilege the House exercised by the election of Mr Adams, though only second in the number of his votes ; and the world in general has approved of the choice, as prudent and safe.

The negro republic of Hayti was now rising every day into greater importance and consideration. Transactions of considerable extent have lately passed between it and France ; having in view, on one side, the recovery of some shadow of ancient dominion, and, on the other, a full recognition of independence. President Boyer's message of 18th October, 1824, gives a general view of these proceedings. The first time that any propositions were made that could be listened to, was in 1816, when M. Aubert, who, by a profession of liberal principles, had obtained the esteem of the Haytian government, announced, that Louis XVIII. " had determined to consecrate our independence, and limited his claims to the right of *Suzerainete*, with indemnities for the cessio of territory and loss of property." The re-

ply was positive in rejecting the least shadow of dependence or vassalage, but admitted the demand of a moderate indemnity. The French broke off the negotiation; but some years after, confidential notes were received from Clermont Tonnerre, minister of marine, intimating, that if the Haitian president would save the honour of France, by taking the first step, he would find that power not indisposed to assent to the views which he had formerly held out. The president accordingly sent General Boyer to Paris, in May, 1823. The negotiation failed, however, in a manner, of which Boyer only states, that it was "by a chicanery on the nature and mode of the indemnity proposed." Yet, in the months of August and October, 1823, two letters were received from M. Esmeugart, and these were reinforced by the mission of M. Lanjon, in November; the tenor of all which communi-

cations was, that the negotiation had only failed in consequence of a slight deviation from the original proposals; but that, if he would repeat them precisely as they stood, he might depend upon their acceptance. Accordingly, in May, 1824, the president sent a fresh mission, and, after their departure, he received no less than ten letters, expressing impatience at the delay. "Yet," says he, "by an inconceivable fatality, which always withdraws the French ministry from the accommodation which it always appears to desire; by a system of tergiversation, which allows it not, at the moment of conclusion, to admit the propositions already admitted, or which makes it reproduce pretensions which had been abandoned, in order to create an opportunity of alleging the insufficient powers of my agents, this mission terminated like the preceding ones, without any result."

## CHAPTER XIV.

## INDIA AND AFRICA.

*Indiu—Burmese War—Opening on the Assam Frontier—Various Actions. Affairs in the Chittagong District—Landing of Sir Archibald Campbell at Rangoon—Capture of Cheduba and Negrais—Various Actions near Rangoon—Capture of Tavoy and Mergui—Mutiny at Barrackpore—Capture of Martaban.—Brilliant victories over the Burmese army.—Ashantee War—Defeat of the British—Subsequent Actions.—War with Algiers.*

THE present year was a very unexpectedly eventful period in our Indian annals. After the whole extent of the Hindostan continent appeared subdued and tranquil, and a peace of long duration was confidently anticipated, government was suddenly found involved in war with an enemy more potent and formidable than any with whom it had dealt, since the days of Hyder. We are not much in the habit of withholding our opinion upon all the actions and proceedings which we bring under the notice of our readers; but really, in the present instance, the materials of judging are so imperfect, that we do not feel justified in going beyond a simple narration of the events. The lapse of another year may probably enable us to develop more fully their origin and character.

Ava, or the Burman empire, had been long known as the most powerful of the states bordering on India; yet not-

withstanding its close proximity, it had been scarcely felt as coming into contact or rivalry with the British dominion. Its shores were separated by the broad bay of Bengal, on which the nation had not attempted to establish a navy; and the Chittagong frontier, composed of the broad stream of the lower Brahmapoutra, and of a wide range of mountain and jungle beyond, appeared to afford no proper theatre of war. The Burmans, however, ever since the rise of Alompra, and the foundation of the present dynasty, had been a stirring and conquering people. They had incorporated with their empire the once powerful independent states of Arracan and Pegu, and had rendered tributary the great kingdom of Siam. Their views of conquest were now turned northwards, to the countries bordering on the Bengal frontier. Of these, Assam was the most conspicuous; a country which its difficult and inaccessible character, and the

irregular valour of its people, had hitherto secured against any permanent subjection. Even their most powerful enemies had been able to make only temporary and fruitless inroads, after which they quickly shook off the yoke. The Burmese, however, by a system of steady and persevering attack, by throwing up their strong stockades at all the leading military points, and by gaining over several of the most powerful chiefs, were able, in the course of two years, to complete the subjection of this difficult province. It was when elated with this career of victory, that they came into contact with the Silhet frontier, occupied by chiefs in a somewhat loose dependence upon the British government. It was not long before collisions took place between the two parties, which the Burmese were not much disposed to refer to British arbitration. Upon the whole, they found the British territory now extending before them in an unbroken line, and barring altogether their farther career of conquest. It was not perhaps to be supposed, that this was what, in their present temper, they could very patiently brook. In the British proclamation it is declared, that a regular design to provoke hostilities had been formed, and manifested by repeated acts of aggression. The officers of a British ship were enticed on shore on the coast of Arracan, and carried prisoners into the interior. On the 23d September, a Burmese force of about 1000 men landed on the small island of Shapuree, situated in the bay formed by the influx of the Ganges, and drove out the British force, with the loss of three sepoys killed, and three wounded. A detachment, indeed, under Colonel Shapland, landed on the 21st November, and re-occupied the island without any opposition. On the Silhet frontier, however, the movements of the enemy were more and more menacing; and their troops were placed in such positions, as evidently to meditate the oc-

cupation of Cachar, a territory under British protection, without regard to the intimation received, that such a movement would be resisted by the British government.

In the middle of January, hostilities commenced. Major Newton, commanding the corps of observation on the eastern frontier, learned that the enemy had actually entered the Cachar territory, and were stockading themselves at the village of Bikrampore, within its limits; also, that bodies of troops were moving forward in other directions. He determined to attack them before they could have time to strengthen their positions. On the 17th January, the enemy were discovered in the vicinity of Bickrampore, and hostilities commenced by their firing two shots from their stockade on the British advanced guard. Our columns instantly advanced to the attack; and the body of the troops, about 4000 strong, fled at the first fire; but a stockade on the right made a vigorous resistance. The army, however, did not advance till reinforcements should arrive, and, on the 13th February, the enemy came in very great force to within a thousand yards of our position at Badderpore, where they began throwing up five separate stockades. Captain Johnston, who then commanded, thought it indispensable to make an effort to prevent them from becoming established at this point. He led on his troops, and the five stockades were successively carried in the most gallant manner, though with the loss, on our side, of one killed, and thirty-eight wounded, the latter chiefly by spokes and canes set in the ground, to impede their advance.

On the 16th February, Colonel Bowen arrived with reinforcements from Dacca, and immediately began to move forward, which was effected, in the first instance, by proceeding in boats up the Soormah river. Having learned that the enemy were strongly stockaded at the pass of Berteaka, the principal one

leading from Assam, he marched, to attack them. They were posted in two very strong stockades, on the bank of the river Jeltinghy, commanding the only point where the stream was fordable. The detachment was therefore obliged to be conveyed over on the backs of elephants, and then to avoid a rivulet by making a detour through mud and jungle. On coming in contact, however, with the stockade, it was immediately carried at the point of the bayonet, and with only two men wounded. The enemy retreated towards another strong stockade, which they immediately abandoned, and retreated towards the hills. Their number was estimated at 5000, chiefly Assamese. As the Burmese troops were now advancing from Munnipore to reinforce the latter, prompt measures were deemed necessary to prevent their junction. On the 21st February, Colonel Bowen attacked them in the strong stockade which they had thrown up at Doodpatlee; but a succession of attacks made by the British troops, with the utmost vigour, entirely failed, and they were obliged to fall back upon their original position, with one officer killed, and two severely wounded. This first specimen of the Burmese themselves, who were here about 2000 in number, and the extraordinary valour with which they fought, gave a serious character to the war. The enemy, however, had suffered such severe loss in the action, that they were induced to fall back upon Munnipore, and allowed the British to occupy Gowhatty, the capital of Camhoop, the western division of Assam, in consequence of which they received the submission of several chiefs of that country.

In the beginning of May, the Chittagong, or maritime district, was invaded by the enemy in very great force. On the 11th, Captain Noton, commanding the British detachment in this quarter, made a reconnoitring attack with

doubtful success. On the 15th, the Burmese pressed forward with about ten thousand men, and continually hemmed in closer the British, with entrenchments and stockades, till, on the morning of the 17th, they reached the rear, and put to flight the body of troops by which it was covered. The native levy immediately dispersed, and were followed by the elephants. Captain Noton, in this critical position, had no choice but to commence a retreat, which was carried on for some time in good order, but, in consequence of the overpowering masses of the enemy which continually pressed on, was soon converted into a total route, in which the whole party were killed or taken, with the exception of a lieutenant and two ensigns, who escaped in a wounded state to report the disaster. A great alarm in consequence spread through the district, and extended even to Calcutta; but the enemy did not advance; and reinforcements soon arrived, sufficient to place Chittagong in a state of defence.

During the rest of the campaign, little change took place in the positions of the contending armies, along the whole of this frontier. Captain Horsburgh pushed forward in advance of Gowhatty, and, on the 23d May, defeated a body of the enemy, who attempted to impede his progress; but, on their being strongly reinforced, it was found expedient to concentrate at Gowhatty. An attack made, on the 6th July, by Colonel Innes, on the stockaded position at Tiloayn, did not succeed; but, in the attempt which the enemy were thus emboldened to make on the right of the British position, they were completely baffled. Matters remained nearly in this position till the end of October, when the enemy evacuated their strong stockaded and well-defended positions at Tiloayn and Doodpatlee, and entirely evacuated Cachar.

The main point of the war, however, success in which was expected to se-

cure a prosperous issue, was Rangoon, the great sea-port of the Burman dominions. A landing there would strike at the main body of the empire, and place the army on the high road up the central stream of the Irrawaddy, and to the capitals of Pegu and Ummerrapoora. Orders were accordingly sent to all the three presidencies, to embark the whole disposable force which each could command. In the beginning of May, the expeditions from Calcutta and Madras rendezvoused at Port Cornwallis, at the northern extremity of the Great Andaman island. From this point, on the 5th May, General Sir Archibald Campbell, who commanded the whole armament, dispatched a squadron under Brigadier M'Creaigh, to reduce the island of Cheduba, and another under Major Wahab, to capture Negrais. He himself, with the main force, set sail for Rangoon. On the 10th, he anchored within the bar, and on the following day arrived off the town, without having suffered anything from the batteries along the banks. The Burmese, it appeared, had no force at this point, in the least capable of resisting that brought against them; and it was hoped that they might have prevented bloodshed by opening a negotiation. They made no such overture, however, but commenced a feeble and ill directed fire, which was quickly silenced by the British guns. Two brigades, under Major Sale, and General M'Bean, being then embarked in boats, the landing and the capture of Rangoon were effected in twenty minutes, without the loss of a single man. The invasion had spread such a panic, that, in this large and busy town, there scarcely remained a hundred inhabitants. Of eleven Europeans who were in the town, and had been put in irons, three were left in the confusion; the rest, in pursuing the enemy up the country, were found fettered, at different points, their guards flying at the approach of the British. A

considerable number of guns were taken, but generally bad as to quality and condition.

Brigadier M'Creaigh arrived off Cheduba, on the 12th May, and effected his landing on the 14th, with some difficulty, against a steep and difficult bank, which the enemy made a pretty brisk attempt to defend. The British then made their way through the town, at the end of which they found a strong square stockade fortified with several six-pounders. It was judged inexpedient to attack it, till, in the course of the night, a battery had been formed, the fire of which soon rendered the gate practicable, and the storming party were speedily in the stockade. The chief in command was killed near the place of attack, and the troops were soon driven out of it with great loss. The island was found fertile and productive, and the inhabitants very willing to submit to our sway. Negrais was much more easily occupied, the stockade which defended it being abandoned after the firing a few shots; but the island was found so barren, and so destitute of all value as a military position, that it was not judged expedient to employ any force in retaining it.

Meantime, at Rangoon, the enemy declined every opportunity of allowing the British to come to a general action, but, favoured by the nature of the country, and their own particular mode of warfare, they hovered round the outposts, and carried on a desultory, barbarous, and undecisive struggle. At the village of Kemmendine, only four miles distant from the shipping, a stockade of peculiar strength was begun to be formed. Some boats, with a detachment under Lieutenant Wilkinson and Captain Birch, were, on the 16th May, sent up against it; but, on coming to its vicinity, they found the jungles so impervious, as to prevent them from penetrating to the point proposed. They carried, however, several strong stockades, with con-



siderable loss on the part of the enemy, and on their own with that of an officer and a soldier killed, and nine wounded. The works at Kemmendine continued to be extended, and were converted into a species of fortified camp, garrisoned by the bravest portion of the crews of the war-boats. An unsuccessful attempt made to enter the stockade on the 2d, gave the enemy still greater courage. General Campbell, therefore, conceived the hope that they might be induced to await there a general attack, and an opportunity might thus be given to strike a decisive blow. On the 10th June, he moved against them with 3000 men, and a considerable train of artillery, and, after carrying a strong stockade erected on the road, reached the main entrenchment, and endeavoured to form a line round its rear, so as to cut off the future retreat of the enemy; but the fortifications were so extensive, and the jungle so thick, that he was unable fully to complete the investment. The night was spent by the British in raising batteries, and by the enemy in animating each other by loud and boisterous cheering. At day-break, a very heavy cannonade was carried on for two hours, by which a breach was effected, but under cover of which, it was then discovered, that the enemy had entirely evacuated the place, and retreated through the thick jungle behind. This event, however, seemed to strike them with a general consternation; all the stockades in the immediate vicinity were abandoned, and their line withdrawn to some distance up the country. On the 1st July, however, they came down in very great force, supposed not less than 12,000 strong, and commenced a general attack on the British line. The result of this day demonstrated their total incapacity to cope with our troops in the field. Three companies being ordered to charge, put to flight the whole of this host. On the 8th July, General Campbell caused attacks to be

made by land, and from the river, upon the whole line of their fortified positions. They were completely successful; ten stockades were carried, and the thirty-eight pieces of cannon, which defended them, captured.

Notwithstanding this decided superiority in the field, the rainy season which ensued, and laid the country completely under water, precluded any attempt to advance into the interior. The enemy, however, continued to forward to this point troops, and the materials of war; and, in the beginning of October, it was understood that they were forming a strong fortified position, at, and round the pagoda of Keykloo, about fourteen miles from the British head-quarters. The commander-in-chief sent up, on the 7th October, a detachment of 800 men, under Colonel Smith, to attack this position. They carried on their operations for some time with the greatest success, and drove the enemy with ease from a succession of breast-works. These obstacles, however, as well as the circuitous route pointed out to them by the guides, who seem to have been employed to deceive them, delayed their arrival till the evening. They came then in front of the pagoda, and of two strong stockades by which it was supported, and were expecting to enter them without resistance, as the guides had assured them that they had been all evacuated, when a fire of the most formidable character was suddenly opened from them. Major Wahab was severely wounded, and his party thrown into confusion, while Captain Bell found the pagoda so strongly stockaded, that it could not be carried without ladders; and as Lieutenant Briggs was running to procure them, he was attacked by thirty or forty of the enemy, and saved himself only by leaping down a deep ravine. The whole corps was now thrown into confusion, crowded into one general mass, and fled beyond the reach of the enemy's fire. Their farther re-

treachery was covered by a division under Captain Williamson, which hastened to the spot on hearing the retreat sounded. The loss, however, amounted to 21 killed, and 74 wounded, of which first, two, and of the latter six, were officers.

A great effort was necessary to wipe off the impression of this unfortunate affair. On the 9th, Brigadier M'Creagh was sent up with 1500 troops; but, on arriving, he was mortified to find, that the enemy had not derived from this success courage to meet the British a second time, but had entirely abandoned both pagoda and stockades. On this march, the troops had the painful spectacle of the bodies of their wounded companions, mangled in every possible manner, and fastened to the trunks of trees, by their barbarous enemy.

The enemy continued accumulating forces at this point: and it was now understood that a stockade in the neighbourhood of Martabain, contained the Kye Woongee, and the Lykia Woongee, the names given by the Burmese to the two first members of state. The position being thus considered important, Major Evans, on the morning of the 5th, set sail, and, on the 7th, landed at Martabain, which, though defended by a succession of breast-works, was carried in a few minutes afterwards. In turning a point formed by the junction of two rivers, they came in view of the grand stockade; which, though the strongest they had ever seen, was carried by assault, almost without resistance. In the centre, was found the magnificent tent of the Kye Woongee. This important service was executed with the loss of only three men wounded.

In the beginning of September, an expedition was sent against Tavoy and Mergui, on the coast of Tenasserim, situated along the mouth of the Malayan peninsula. On the 4th, Colonel Mills, who commanded, arrived off Tavoy, and

on the 8th had brought the whole fleet within gun-shot of the place. Before operations commenced, however, a message was received from the second in command, offering to seize the May-hoon or governor, and deliver him and the place into the hands of the British. This was accordingly fulfilled, and by a profitable treason, our troops became possessed of a large town, which, it was found, could not have been reduced without considerable loss. Mergui was reached on the 6th October; but the summons to surrender was answered only by a heavy fire. The troops immediately landed and attacked the stockade, which, after a somewhat obstinate contest, in which we lost six killed and twenty-four wounded, was carried by escalade. The inhabitants mostly deserted the town during the time of the action; but a great proportion of them afterwards returned.

From these events, our attention is drawn to a very painful circumstance, which, considering the peculiar composition of our native Indian army, cannot be contemplated without considerable alarm. Three regiments, the 26th, 62d, and 47th, had been for some time stationed at Barrackpore, above Calcutta. They were under marching orders, and the last regiment was to have begun its route on the 1st November. Reluctance to the service, however, had been deeply felt, and had issued in a determination to resist the orders for moving from this station. The reduction of some allowances has been alleged as a cause; but this is officially contradicted, and the only real ground is stated to be a difficulty of procuring the materials of carriage; and this was obviated before the time of march. A spirit of open and undisguised resistance then manifested itself. At a parade ordered on the 31st, many of the regiment did not come out, and a large proportion of those present declared to Colonel Cartwright their resolution not

to march. Having used in vain every persuasion, he ordered, notwithstanding, a parade for next morning, hoping that, when the time came, they would obey. General Dalzell, to whom the affair had been reported, appeared next day on the parade, but the soldiers not only disregarded his authority, but assumed so menacing an attitude as obliged him to quit the ground. They were joined, in the course of the day, by 160 of the 62d regiment, and by 20 of the 26th, in despite of all the entreaties and representations of their officers. In the evening, the commander-in-chief arrived from Calcutta with two European regiments. Next morning, the adjutant and quarter-master-generals were employed to make a last effort to induce the mutineers to lay down their arms, and to point out the fatal consequences of refusal. They remained, however, drawn up in line, and declared that they had sworn not to yield, and therefore would not. The preconcerted signal was then given for the European troops to attack, when the mutineers, only once returning the fire, fled, and were pursued in every direction. About 100 were killed in the pursuit. Of forty, who were taken, six were executed, and the remainder condemned to hard labour for fourteen years. The native officers did not join in the mutiny, but as it was judged impossible that it could have taken place without some failure of duty or culpable concealment on their part, they were all discharged the service. Such was the issue of this deplorable affair; and though the extremity to which the government were driven was certainly much to be lamented, yet we really do not see how, upon any principles of military discipline, it could have been possible to follow a more lenient course. We presume it was not different from what would have been adopted against a British regiment acting in a similar manner.

Meantime, in the end of October, General Campbell dispatched an expedition, under Colonel Godwin, against the large sea-port of Martaban, situated to the east. The expedition was detained a fortnight by contrary winds and calms; a delay which caused some anxiety to the commander-in-chief; but at the end of that time, on the 7th November, the expedition landed, and carried that important sea-port with very little resistance or loss. A considerable quantity of ammunition was taken in it.

Towards the close of the year, the military operations assumed a grander and more decisive character. Ever since the landing of the English at Rangoon, it had been the object of the Burmese to bring against this point the main force of the empire, and either destroy the invaders, or compel them to reinbark. Accordingly, before the end of November, they had accumulated a force estimated at between fifty and sixty thousand men, with 300 pieces of cannon. It was led by commanders of royal blood, Maha Bundoola, accompanied by the princes of Tongho and Sarawaddy. The British army was then weakened by two detachments, one of which was that sent under Colonel Godwin to Martaban, another under Colonel Mallett, to occupy the ancient capital of Pegu, which, however, was found deserted; so that the effective force is not understood to have exceeded 6000 men. The enemy brought down their troops immediately in front of the British line, and began, according to their usual system, to cover themselves with strong stockades and entrenchments. General Campbell offered no interruption to these operations, which he even encouraged by appearances of fear, that they might be induced to lodge in this camp their artillery, stores, and the whole of their military *materiel*. It was only considered important to prevent

them from completing the investment of the great pagoda, which they had evidently conceived the design of occupying. On the 1st December, therefore, a detachment was sent, which, by a vigorous and successful attack, drove them from the entrenchments which they had raised before it. The posts of the two armies were now in close contact, and from the Burman camp were nightly heard loud shouts of defiance, with boasts, that the British would soon be carried in captive chains to grace the triumph of the Golden Monarch. All the views of General Campbell being now fulfilled, he determined no longer to delay bringing on a general action. The enemy having placed their two wings apparently in too detached positions from each other, he conceived the able manœuvre of attacking them separately. On the 5th December, he led his troops against the left wing of the Burmese. The first onset proved how wholly unfit the boasted valour of these Asiatics was, to stand the charge of British troops, and even of troops under British command and discipline. One impetuous attack carried all their entrenchments, and scattered in promiscuous flight the whole of this mighty host, which left behind it all its artillery and stores, the troops throwing away the greater part of the muskets with which they were armed. On the following day, however, Maha Bandoola diligently collected the fugitives, incorporated them with the remainder of his army, and presented still an imposing attitude. On the 7th, the British commander directed against this still entire right wing a fresh attack, which was attended with the same entire and sweeping success. In fifteen minutes, the British troops were in the heart of the stockade, and the enemy in full flight, leaving behind them all their instruments and materials of war. Their loss in the two battles is supposed

to have exceeded 5000; that of the British was 30 killed, and 230 wounded. Among the former was Major Walker, an officer of merit and distinction.

General Campbell did not anticipate, after so entire a discomfiture, that he would soon have to encounter again a Burman army. Maha Bandoola, however, seems to have exerted an extraordinary activity in repairing his losses. Having received some reinforcements, and incorporated these with the wrecks of his defeated army, he again presented himself in front of the British lines with a force of upwards of 20,000 men. After allowing him to stockade himself for a few days, General Campbell led his troops, on the 15th, to a fresh attack, and gained the same easy and complete victory as on the two former occasions, with a loss, on the British side, of little more than a hundred in killed and wounded.

Such was the issue of this grand contest with the assembled force of the Burman empire. Among the brilliant victories which have distinguished our Indian annals, none exceeded the present by the completeness of the triumph, and the unequal force against which it was gained. What will be its ulterior result, and whether it will be the means of inducing this haughty court to sue for peace, remains yet to be ascertained.

A war, on a smaller scale, but of a more tragical character, was waged during the present year on the Gold Coast. The most powerful interior state here is that of Ashantee, which has been lately visited and explored by several English missions. Very considerable expectations were entertained of beneficial results from an intercourse with this power, which is in general respects more civilized than its neighbours, and had shown a considerable desire to cultivate friendly relations

with England. Unfortunately, however, a rupture took place between Ashantee and the tribes on the coast, who having been recently conquered by her, were desirous to shake off the yoke. The colonial administration, very unnecessarily and unwisely as appears to us, embraced the cause of the Fantees, or Coast negroes, and was thus placed in a decidedly hostile position towards Ashantee. That haughty and warlike power was not disposed to yield a sovereignty which it claimed by right of conquest, on account of the powerful support of Britain. The first Ashantee detachments, indeed, which shewed themselves on the frontier, were driven in with loss, by Captain Laing, who succeeded in rallying all the tribes on the coast under the British standard. In the beginning of February, however, the whole force of the Ashantee kingdom had been assembled, amounting to about 15,000 men, and approached the frontier of our allies. Sir Charles M'Cartney, the governor, marched to meet them with about 7000 men, of whom, however, less than 1000 could be called troops; a few more were the civil servants of government, but by far the greater number consisted of natives, much inferior in discipline and valour to the Ashantees. The two armies met on the banks of the boundary stream of the Bossompra. The British maintained the contest for some time with valour and success, when it was discovered that, through the neglect of the ordnance-keeper, the supply of powder was entirely exhausted. The fire on their side being thus found sensibly to slacken, the courage of the enemy redoubled, and by their superior numbers, they were enabled to throw a corps of 2000 men in our rear. Confusion and alarm now spread through the British ranks, and in a short time the two armies were intermingled and fighting pell-mell with each other. The result was, that the whole British force

was killed or taken, with the exception of three officers, who made their escape wounded. Sir Charles himself was made prisoner, and, as there is too much reason to fear, his head sent as a trophy to the capital of Ashantee.

The Ashantees appear to have taken a few days rest after this battle, but they then advanced, and spread themselves over the country, burning and destroying all the villages, and finally investing Cape Coast Castle. The only troops which remained to defend it were two small corps which, under Major Chisholm and Captain Laing, had been employed on separate services during the time of the fatal battle, and which then immediately fell back. Even with this small force, Major Chisholm made an attempt to drive back the enemy. On the 21st May, he attacked, and after an obstinate conflict, compelled them to retreat to some distance; but as our Fantee allies had fled at the first fire, and even when they saw the enemies backs turned, refused to go a step in pursuit; while, as the Ashantees were reinforced by 3000 men, commanded by the king in person, Major Chisholm found it necessary to fall back upon his former position. On the 11th July, the enemy made a general attack on the British, now commanded by Colonel Sutherland, but were defeated at all points, and two of their camps burned. Our native auxiliaries fought on this occasion with a bravery unusual to them. A few days after, having failed in his object, and the enemy finding his army thinned by sickness and desertion, broke up and returned home. It is obvious, however, that he may still be considered as in a state of war, and that his return may be apprehended as soon as circumstances permit.

A petty sort of war was declared this year against the piratical state of Algiers, which, in defiance of the treaty

to which it had been some years ago compelled, began its old practice of capturing Christian slaves. Hostilities commenced by Captain Spenser of the *Naiad* taking a corvette employed in this service, and liberating the captives contained in it. The Algerines, however, since the last severe chastisement inflicted on them, had been so diligently employed in strengthening their fortifications, that an attempt to carry

them, as formerly, by storm, was deemed too perilous. The town, however, was judged accessible to bombardment; and preparations were made in England to direct against it that mode of attack. In fact, as soon as a squadron of bomb-vessels of sufficient force was brought in front of Algiers, this barbarous power yielded, and acceded to the terms demanded by Britain.



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**PART II.**

**LITERARY AND MISCELLANEOUS.**

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## PART II.

### LITERARY AND MISCELLANEOUS.

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#### CHAPTER I.

##### GEOGRAPHICAL DISCOVERIES.

SOUTH AMERICA: *Travels in Colombia—Mollien's, Cochrane's—Cald-  
cleugh's Travels in South America—Poinsett's Notes on Mexico—Northern  
Expeditions—Captain Lyon's Failure.—Discoveries in the Interior of Afri-  
ca.—Cochrane's Journey through Siberia.*

SOUTH AMERICA is the quarter of the world which, at this moment, excites the deepest and most peculiar interest. The new aspect which it presents to the world, of a series of great independent states rising from the bosom of despotism, the close relations of alliance and commerce which had succeeded to the strict exclusion formerly experienced by Britain, and the studious care with which all information respecting it had been hitherto withheld from the world,—all these circumstances render the information respecting it, obtained from any quarter, peculiarly welcome. The narrative of Captain Hall had introduced us in a most lively and agreeable manner, to a wide extent of the coasts of Chili, Mexico, and Peru. Several others, since published, have introduced us into the interior re-

gions of the continent, particularly Colombia, which has raised itself to such a great pre-eminence of power and celebrity.

M. Mollien landed at Carthagena, which he found a very strong town, though the fortifications, in a military point of view, are too extensive, requiring 9000 men to defend them. The population, amounting to 18,000, are chiefly sailors and fishermen; the latter of whom are chiefly persons of colour, a lively and spirited race, who carry on likewise a great contraband trade. There is a good deal of industry at Carthagena, particularly in shell-work, jewellery, and carpentry. The town looks like a cloister, the streets being narrow and dark, with projecting terraces, while the houses are only great lobbies, with a few scanty articles of

furniture, and a great deal of dirt ; however, they are on the whole not ill-contrived with a view to coolness.

M. Mollien embarked on the Magdalena, the most valuable of the Colombian rivers, by which a communication is maintained between the coast and the fine interior provinces of Bogota and Quito. Its immediate banks, however, are very little cultivated, and form by no means the best parts of the Colombian territory. The intensity of the heat, and the rank luxuriance of vegetation, render them scarcely habitable. They present an interesting aspect to the admirers of wild and savage scenery. Trees of immense height, and thick underwood, cover the whole country ; among which M. Mollien remarks the mahaguna (bombax,) with a very lofty trunk, bearing on its top a thick foliage, and containing in its fruit a woolly substance, with which the negroes stuff their pillows. In these wild tracks, however, the Spaniards have established inns, where fowls, eggs, and bread, may be obtained at a trifling expense. The voyage is full of peril and fear. Sand banks, dangerous currents, floating wood, and all things which can render a river navigation hazardous, perpetually occur. At Monpox, the first town which occurs, and where there is some trade, the days are cloudy and showery, the nights are beautifully clear and delicious. The former is spent by the inhabitants in their hammocks, and the latter in the streets, and the traveller who takes a nocturnal walk through the place, finds every door beset with merry parties, in whose gaiety he is welcome to join. On the contrary, the tenants of the solitary habitations, built amid the woods on the banks of the Magdalena, are described as poor and very unhappy, subject to five out of the ten plagues of Egypt,—the putridity of the water, ulcers, reptiles, large flies, and the death of their eldest born. In fact, no seasoning to

the climate seems to prevent its pestilential effects ; few old people are seen, and the young labour under numerous diseases. Our traveller describes himself, in his voyage up the Magdalena, as never enjoying a moment's repose ; mosquitoes, flies, and venomous insects of every description, were continually darting their stings into him ; if he bathed, he was in danger from the cayman ; if he went on shore, he was exposed to the bites of serpents.

M. Mollien landed at Honda, a town surrounded by fine meadows, and began to ascend a branch of the Cordilleras, which he found of terrific steepness, and where he was occasionally enveloped in clouds of damp fog, that involved him in complete darkness. On the other side, after passing the neat village of Graduns, he found himself on the plateau of Bogota, which presented a scene almost European ; shepherds driving their flocks, husbandmen tracing furrows, and files of mules, and oxen laden with grain, coals, and fruits. This plateau, elevated above the sea more than 8000 feet, that is, double the height of the highest mountains in Britain, presents still a more luxuriant vegetation than that of Europe, and is by this extraordinary height only rendered habitable and temperate. From its elevation, extent, and prodigious fertility, it is said to surpass what the most vivid imagination can conceive of the beautiful.

St Fe de Bogota, the capital of Colombia, is situated in the midst of this plateau, between two high mountains, by which the climate is rendered almost cold. From April to December, is said to be continued rain ; from June to August, showery ; the three other months uncertain. The houses in general are low, and built without any regularity ; the walls heavy and thick ; the roofs often intersected with beams, and everything in short presenting the aspect of European architecture three hundred years

ago. A more elegant taste is beginning to be introduced. The president's palace is little superior to the others; it has neither hall nor anti-chamber, and persons soliciting audience are obliged to wait on the stair-case till they obtain admittance. The great display of splendour is in the churches. The architecture of some, especially of the great cathedral, is tolerable; but their magnificence rests chiefly in the profusion of gold and diamonds which adorn the interior. One statue of the Virgin alone, is said to be adorned with 1358 diamonds, 1295 emeralds, 59 amethysts, one topaz, one hyacinth, and 372 pearls. There are nine monasteries and three nunneries, some of which support pretty extensive hospitals. Bogota has a theatre, mint, prisons, and most of the establishments which characterize European towns, but in a clumsier and more imperfect form. There are three colleges, to which a good deal of attention is paid. The professors are almost all churchmen, and the course of study consists in Latin, philosophy, mathematics, and theology. The place does not contain, it is said, ten merchants, with a capital of 100,000 piastres, nor five individuals, living upon a revenue of equal amount. The most common incomes are from 5 to 10,000 piastres. The business is carried on almost entirely in shops, crowded, dirty, and dark, where light is admitted only by the door. Seated upon his counter, smoking incessantly, and giving laconic answers to his customers, the Colombian merchant in many respects resembles those of Smyrna and Aleppo. The amusements consist of balls, occasional visits to the theatre, but more frequently cock and bull fights; and we are sorry to find games of chance, at which they will sometimes bet so high as 10,000 piastres. To this head may probably be referred the religious shows and processions, the most splendid of which is

that of Corpus Christi day. On that occasion, David, Mordecai, Joseph, and other leading personages of the Old Testament, are seated in chariots, and drawn along by the inhabitants. They are represented by the children of the principal citizens, lavishly adorned with pearls, diamonds, rubies, emeralds, and all the finery that their parents can collect. The inhabitants are described, on the whole, as mild, polite, and cheerful; and though morals are more relaxed than in smaller towns, great crimes are not common.

The markets of Bogota are supplied with a profusion of fruits and vegetables, in remarkable variety. Those of America and Europe may here be seen mingling together; on one side, are hampers full of strawberries, on the other, ananas, aguacates, peaches, and apples; near heaps of cabbages, carrots, and potatoes, are guavas and bananas; and among sacks of maize, barley, and corn, are piles of cocoa and loaf-sugar; in one place are sold numerous healing herbs, gathered by the Indians in the Paramos; in another, pinks, roses, and jessamine. As soon as you leave the precincts of the town, all trace of civilization vanishes, and M. Mollien could see no distinction from the wildest parts of Africa.

According to the account of this writer, the Colombians were conducted to independence insensibly, and almost without design. It was in consequence of Buonaparte's usurpation, that Ferdinand VII., in 1810, was proclaimed King of Cundimarca, the ancient name of New Granada. As soon, however, as the natives found themselves enrolled under American standards, commanded by American chiefs, they refused again to place themselves under the yoke of European Spaniards. As the latter, however, were supported by the governments at home, even those of the most liberal professions, and had all the regular troops that were in America

under their command, they continued for some time masters of the field. Nariño, the first leader of insurrection, after some temporary successes, was defeated and taken prisoner. To him Bolivar succeeded; and though M. Mollien shows a disposition to depreciate the merit of that illustrious founder of American independence, he cannot conceal the mighty obstacles against which he struggled. Repeatedly routed, his army dispersed, and himself reduced to the condition of a solitary fugitive, he again collected forces, and appeared soon as formidable as before. He is admitted to have possessed an extraordinary talent in animating the spirit of his troops. "They but little understand the terms Liberty and Independence, but they were sensible of marks of distinction, which Bolivar judiciously created and distributed. Though his troops possessed no discipline or military experience, yet, as hunters, and living in a state of nature, they possessed already many of the most important qualities of good soldiers. They were proof against cold, heat, hunger, fatigue; they made immense marches barefoot, and subsisting on a banana; and though everything abounded in the camp of the Spaniards, and everything was wanting in that of the Americans, the desertions from the latter to the former were very few." Bolivar disconcerted his enemies by the rapidity of his marches, by the suddenness of his attacks, and by the celerity of his flights. European soldiers, accustomed to ease and indulgence, soon melted away in pursuing their adventures through the swamps, tanks, and marshes of the Maddalena, the Apure, and the Oronooko. At length, by dint of being often beaten, the Americans learnt to beat the Spaniards. Morillo grew sick of the business, and, having patched up an armistice, returned to Spain; and we have seen Bolivar not only finally eject the adherents of the

mother country from the vast precincts of Colombia, but end with securing the triumph of the American cause in the fine regions of Peru, where it had found its last refuge.

Among the adherents of Bolivar, the most remarkable is Paez, whose impetuous and headlong valour has often decided victory. "A khan of Tartars, an Arabian schieah, has given the rudest shocks to the Spanish power in America. The mulatto Paez, at the head of a few thousand of his savage lancers, has often defeated whole squadrons of disciplined troops. Paez affects great luxury, and particular politeness; yet, notwithstanding the vanity natural to a savage, he lives upon terms of perfect equality with his troops; when he is with them, their food, their games, their exercises, are his own. No one rides a horse better than he, or wields a lance with more dexterity, or attacks an enemy with more fury. He thus possesses absolute power over his undisciplined hordes, who, tractable towards a leader that sets them an example of courage, obey him with the submission of slaves. His fortune has been considerably augmented by numerous gifts." Montilla is another mulatto, originally a pilot of Cartagena, who distinguished himself in the maritime contest. His colour combines with other circumstances, in rendering him a rival of Montilla, once a member of the body-guards of Spain, and a person of considerable polish and address. Sucre, Urdaneta, and Bermudez, are all brave men, without any very distinguishing peculiarities, while Santander, from his political wisdom and firmness, has been judged worthy of the Vice-presidency.

M. Mollien, with that prejudice which we have remarked, will scarcely allow merit to Bolivar, for having abdicated the dictatorship as soon as his services in that capacity were no longer necessary, and having assisted in giving a free constitution to Colombia. This

constitution appears to possess great merit, and is by no means founded on that broad democratical basis, which might have been apprehended. In order to exercise the right of voting, it is requisite to be able to read and write, and to possess the sum of 100 piastres. The original electors choose electors for the canton, who must have 300 piastres of annual income, and who exercise their functions for four years. The functions of the executive, the senate, and the representative body, seem to be nearly the same as in the United States.

From Bogota, M. Mollien made first an excursion northward, along that part of the ridge of the Cordilleras which runs parallel with the Maddalena. In order to reach Socorro, he had to pass over the Paramos, a name given to the country in the lofty summits of the lower Cordilleras. Nature there produces plants entirely different from those of the other regions; and but for a few sheltered spots, in which man has planted potatoes, beans, and onions, the Paramos would be uninhabitable. A very scanty population, composed almost entirely of Indians, inhabit these bleak regions. The air was found so excessively dry, that the ropes which secured the baggage were breaking every instant. Sometimes, however, they are crossed by tremendous hurricanes, loaded with icy vapours, amid which the travellers, unable to find shelter beneath the stunted shrubs, not unfrequently perish. Crosses, with bones strewed around, afford alarming indications of such catastrophes.

Socorro is an ill-built and ill-paved town, but containing 12,000 inhabitants, distinguished by a somewhat active industry. The country round is well cultivated; the spinning, weaving, and dyeing of coarse cloths, and particularly the making of straw hats, employ a considerable proportion of the in-

habitants. Still Manchester cottons are both cheaper and better esteemed than those made in the country. The inhabitants of Socorro, though not apparently of a very lively disposition, have always displayed boldness and energy of character, and a peculiar love of independence. They were the first who reared the standard of revolt against European Spain, and have hesitated at no efforts and privations necessary for its support.

Between Bogota and Socorro, is the province of Tunja, with its capital of the same name. The province is barren, but enriched by industry, its cotton cloths, though coarse, being in demand throughout the whole state; but the town is described as possessing no recommendation whatever, neither inhabitants, nor a good climate, nor good water. Near it is the lake of Totu, a singular feature, situated near the summit of the Cordilleras, about a day's journey round, and encompassed by immense rocks of granite and basalt. Only a few desolate huts, the sport of the winds, are scattered along the prodigiously high and rugged sides of this lake of the Cordilleras.

From Bogota our traveller proceeded southward, still ascending the Maddalena, to Neyva, the capital of a province chiefly inhabited by Indians, who live almost in a state of nature, and wear nothing but a piece of cloth tied round the middle. Its chief produce is cocoa, of which it exports 2000 loads, which are sold at 30 piastres per load. Neyva, the capital, is a small, and rather poor town, chiefly employed in the exportation of this produce, and in supplying the Indians of the neighbourhood with toys and trifles.

From Neyva M. Mollien crossed the Maddalena, and proceeded westward to Popayan, a city famous in the annals of American commerce. The approach to it was marked by ranges of elegant

country-houses, round which negro servants were prancing on handsome horses. The situation of Popayan is said to be such as might have been created by the imagination of poets. The houses, too, are more handsomely built than those of Santa Fé, and the streets furnished even with foot-pavements. The churches also display some taste, though, like other buildings, they have the fault of being too high in proportion to their width. Our traveller considers Popayan as almost entirely ruined by the war; so that, instead of many families worth a million of dollars, there are not now above three or four who possess 400,000 piastres, the wreck of their former fortunes. Some of his details, however, are not very consistent; and we suspect that here, as in other instances, he may have exaggerated the efforts of the war of independence. At all events, the restoration of peace must render it again the emporium by which the interior countries carry on their communication with Europe, and with the rest of America.

From Popayan our traveller descended the Cauca, a tributary of the Magdalena, which it almost equals in the length of its course. He navigated, however, only a part of it, and on reaching Cali, a clean, neat, rich little town, he struck off to the left, and reached the ocean by the precipitous current of the Daigua. Along all this tract the soil is impregnated with alluvial gold, which the inhabitants extract by washing in wooden bowls, in the same manner as is practised in Africa. From Popayan to the gulf of Mexico, extends the province of Choco, consisting of a long narrow plain, interposed between the sea and the Cordilleras. The vast vapours of the Atlantic, driven against these mountains, cover the territory with deluges of rain, and consequently supply it amply with water communications. But the extreme humidity unfits the soil for any productions, except

maize, sugar-cane, and banana, which delight in moisture; culinary vegetables can only be raised by erecting a flooring of bamboo, and covering it with earth. Thus Choco, notwithstanding its great extent, contains only about 20,000 inhabitants, chiefly negroes, people of colour, and Indians. Yet it contains in its bosom important riches; since, wherever the earth is stirred, between the height of 250 and 2000 feet above the sea, gold and platinum are extracted; woods, resins, and gums might also be obtained.

The most remarkable feature in the physical aspect of Colombia, is the vast variety of climates, placed at a very small distance from each other. Its classification is made into warm lands, consisting of the maritime provinces, and the valleys through which the rivers flow; temperate lands, at from 3 to 4000 feet high; cold lands, from 6 to 8000 feet; this is about the temperature of Europe; barren lands (*paramos*) snowy lands (*nevados*.) A transition may be made in one day from the burning climate of Africa, to the frozen sky of Lapland. The inhabitants of Santa Fé, when their health requires it, may quit the climate of Europe, and in a few hours reach that of the torrid zone; they may pass in the morning by fields of barley, and walk in the evening among sugar-canes and coffee-trees. In the province of New Granada, the only part of the republic traversed by M. Mollien, the cultivated tracts consist of the declivities of the mountains, and the plateaus on their summit. The plains and valleys are either scorched with heat, or deluged with moisture. In Caracas, which forms the other division, the plains of Venezuela are rich; but the vast plains watered by the Meta and the Orinoko, are almost uninhabited. "On an immense extent of 29,952 square leagues, which Humboldt supposes it to contain, the territory of Colombia presents a thousand

different aspects ; they are seldom animated by the presence of man ; a profound silence reigns throughout nature ; the desert spaces are so great, that, during whole days, the traveller might fancy himself in a country where human foot had never trod. The names of places, villages, and provinces ; the manners, customs, and even the situation occupied by the Indian habitations, are all unchanged. The solitudes are as profound, the forests as impenetrable, the mountains as inaccessible, animated nature as solitary ; everything, in short, with the exception of a few places, is as savage as when the Spaniards entered it."

The Indians of the mountains are considered more civilized than those of the plains. They build their huts on the side of lakes and marshes, are temperate, obedient, and particularly valved for works which require patience and perseverance. Under three centuries of peace, and amid habits of industry, they retain that mild and docile character which distinguished their ancestors. "On the highest summit of the Cordilleras, we meet with Indians feeding their flocks, &c retired into their huts, without any other clothing than a cotton shirt and trowsers. They hardly ever enjoy the sight and the agreeable warmth of the sun. Always enveloped in vapours, and chilled by the winds which descend from the snowy peaks, from which they are sometimes only a few toises distant ; almost naked, but accustomed to this miserable life, they pass their days unknown to the rest of mankind. Happy in the enjoyment of a liberty which no one envies them, they roam about the heaths of their *paranos*, without thinking that the universe is at their feet ; for them it begins at the region of cryptogamous plants, and ends with that of the snows."

The Indian and the negro are equally fond of dancing, but of a quite different kind. The negro leaps, springs, and stamps with his feet ; the Indian, on

the contrary, moves with a slow and measured step ; the one is animated only by the noise of the drum, and of his enormous ivory trumpets ; the other listens to one of his bards, beating time with a hollow bamboo, filled with grains of maize, or scraping with a stick on the jaw-bone of a mule." The Indians of the plains, on the contrary, particularly on the banks of the Oronooko and Apure, are fond of riding on horseback, hunting, and war. To pursue the jaguar, to tame a fiery courser, to catch a bull with a noose, are his sports and exercises.

The demeanour of the Colombians is described as marked by a peculiar apathy ; it is gloomy, melancholy, and without expression, indicative only of indolence, in which respect it does not deceive. Patience in dealing with him is particularly requisite. "To hurry a Colombian, is like waking, *mal a propos*, a man who is asleep." In short, our author really does not draw a favourable picture of this people. They are represented as dissembling, bearing a mortal antipathy to strangers, which they cover under an appearance of extreme courtesy ; possessed with the love of money, which they seek to gratify, not by habits of industry, but by a mean system of scraping and accumulating ; destitute of knowledge and agreeable talents. They show a profound respect for the exercises of religion, and the authority of their parish priests is almost absolute ; and their influence seems usefully exerted in making this half-savage race industrious and submissive and obedient to the laws. This profound respect for the external ceremonies of religion is said to be singularly combined with extreme incredulity, indulged even by ecclesiastics. It is permitted to read the *Guerre des Dieux*, and the *Ouvrages de Boulanger*, but not to miss a mass or a sermon. The people are allowed, however, to be extremely hospitable, affable, polite, and little given to quarrelling. We are



sorry to say, that the author is scarcely more-favourable to the fair sex than to their lords and masters. The Colombian ladies are, indeed, described as very engaging, both in manners and person, the latter being adorned with a profusion of fine hair, which is uncommon in a tropical region. They are also extolled, as all the world over, for a charitable and humane disposition. But there are not wanting some darker features in his picture. "Envy, the rivalry of rank, fortune, origin, cast, diffuse in society a spirit of hatred, which is not at first observed amid the caresses lavished by them on each other. But when two female friends, if there be any such, open their hearts to one another, then their neighbours are sacrificed without mercy; they exhaust all the sarcasms of slander." They are represented as also too apt to enlarge on subjects with respect to which reserve would be peculiarly becoming; and that the peculiar virtue of their sex is neither inculcated on them in their

youth, nor well observed in their maturer years. Nay, he goes so far as to assert, that there is scarcely a marriage in which the concord with which it began is not speedily converted into hatred, and in which the birth of a second child does not form the era of a permanent separation. But really, independent of this not being in itself exceedingly probable, we know not how to reconcile it with other statements of the same writer, in which he represents the Colombian husbands as by no means haunted by the demon of jealousy, as particularly indulgent towards their wives; and the domestic arrangements, in general, conducted with rather a particular measure of harmony. We should hope, therefore, that the faults of the fair Colombians may have been viewed by Mr Mollien through a medium considerably magnifying.

The following is given as exhibiting the present division of the country into departments, and the population of each:—

<i>Departments.</i>	<i>Provinces.</i>	<i>Population.</i>
Oronooko,	Guyana,	45,000
	Cumana,	70,000
	Barcelona,	45,000
	Marguerita,	15,000
Venezuela,	Caracas,	350,000
	Varinas,	80,000
	Coro,	30,000
Sulia,	Truxillo,	33,400
	Merida,	50,000
	Maracaybo,	48,000
Bogota,	Tunja,	200,000
	Socorro,	100,000
	Pamplona,	75,000
	Casanare,	49,000
Cundinamarca,	Bogota,	772,000
	Antioquia,	104,000
	Mariquita,	45,000
	Neyva,	50,000
Cauca,	Popayan,	171,000
	Choco,	22,000
	Carthagena,	170,000
Maddalena,	Santa Martha,	62,300
	Riohacha,	7000

Panama,	.	.	50,000
Veragua,	.	.	30,000
Quito,	.	.	150,000
Guijos and Macos,	.	.	35,000
Cuenca,	.	.	78,000
Jaen,	.	.	13,000
Mainas,	.	.	36,000
Loxa,	.	.	48,000
Guayaquil,	.	.	90,100
			<hr/>
			2,543,300

There must, however, be some mistake in the above figures, since their total amount is stated at 2,614,600. The classification of these, exclusive of Venezuela, is given as follows :

Whites,	.	.	250,000
Mestizoes of Whites and Indians,	.	.	400,000
Indians,	.	.	450,000
Mulattoes,	.	.	550,000
Free Negroes and Slaves,	.	.	94,600
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			1,744,600

Of the population of Venezuela, amounting to 900,000, it is only said that two-thirds are people of colour.

Additional information relative to Colombia has just been afforded by Captain Charles Stuart Cochrane, who spent there the very recent period of 1823 and 1824.

Captain Cochrane entered Colombia by a different route from that of Mollin. He landed at La Guayra, the port of Caracas, a bad harbour, only used from the want of any other. The ascent to Caracas was laborious, over a limb of the Silla, a branch of the Cordilleras, which rises to the height of nearly nine thousand feet. In approaching the summit of the pass, the traveller is involved in clouds of vapour, which, partially dispersing, open magnificent views of land and sea. Caracas, situated 3000 feet above the level of the sea, in a fine valley, preserves, even in winter, the temperature of spring,

and is never very intolerable to a European constitution. It is built irregularly on a rocky surface, which renders it picturesque, but deprives it of that uniform elegance, which should belong to a capital city. To our traveller, a great part of one end of it presented a scene of ruin, many of the handsomest edifices being thrown down, and already overgrown with the luxuriant vegetation of the country. Even the walls, which were standing, were in many instances driven from the perpendicular, and leaning with various degrees of inclination. Neither the habitations nor even the churches are distinguished by architectural beauty; but the interiors are richly ornamented, and, in the case of the houses, show a good deal of comfort and elegance. Caracas has an university, the professors of which were formerly employed only in teaching theology, canon law, and church music; one, in particular, being devoted solely to illustrate the imma-

culate conception of the Virgin. The new government, however, not without offence to certain classes, have introduced mathematics, chemistry, and the philosophy of Bacon and Locke. The theatre is said to be decorated by the finest ceiling in the world, which is no other than that of the sky; so that, were it not that rain in this country is a phenomenon of rare occurrence, the audience would be often drenched to the skin. The performances are miserable, yet are frequented by crowds, including priests in their sacerdotal habits. Caracas, in 1810, contained 50,000 inhabitants of all colours, of whom about 10,000 are supposed to have perished in the earthquake of 1812.

From Caracas, Captain Cochrane proceeded by water to Santa Martha, a sea-port with a good harbour for small vessels, but where the large ones are too much exposed. The town exhibited a neat appearance in the approach, but, on entering, was soon found to exhibit a sad picture of the desolation of civil war. A body of Indians, who had held possession of it for three weeks, had "literally torn the place to pieces." Its commerce had been annihilated, and the population reduced from 8000 to a few hundreds. These marauders had drank all the spirits in the governor's cellars; but the Madeira and claret not being suited to their rude palates, they had broken the bottles, and used the wine in cooking their victuals.

In order to reach the Maddalena, the party crossed the Cienega, a large flat lake, connected with the sea, and affording, in many places, a depth of not more than two feet. The lake was richly fringed with woods, with a background of stupendous mountains, terminating in the Nevada of Santa Martha, which rose to the amazing height of 16,000 feet. From the Cienega, a channel communicated with the Mad-

dalena, which they reached at the point of Baranquilla, where they found a small village; about two leagues distant was Solidad, a town of two thousand inhabitants, the houses of which are built of sun-dried clay. Here they witnessed a splendid religious festival, which exhibited certainly a very poor specimen of what may be called the religious taste of the Colombians. A figure was made to represent our Saviour, and a representation was given of the whole history of the passion, the scourging, crucifixion, entombment, and, finally, the resurrection, and the hanging of Judas Iscariot.

From Solidad, Captain C. soon reached Monpox, which placed him in the tract of Mollien; and the objects observed in the voyage up the Maddalena are described nearly in the same manner. Graduas is compared to Cheltenham, as an elegant and healthful retirement for the inhabitants of the capital. The roads from Honda, where they landed, to Bogota, are described with execration, as little better than channels formed by mountain torrents.

Captain Cochrane has given a much fuller, and, upon the whole, an interesting account, of the progress of the revolution. His view of the hardships to which the Creoles were exposed, certainly renders it the reverse of wonderful that they should have shaken off the yoke. He mentions, as instances, the arbitrary power of the captains-general, to the disregard often even of the royal authority; clandestine decrees, nocturnal arrests, and banishments without previous trial. The audiences were composed solely of Europeans, the meanest of whom considered himself entitled to treat with contumely the most leading persons among the native Americans. On a petition from Merida for an university, the fiscal reported, that "it was unsuitable to promote learning in Spanish America, where the inhabitants appeared destined by nature to work in

the mines." It is even stated, that the board of trade in Mexico reported to the Cortes, that "the Indians were a race of monkeys, filled with vice and ignorance; automaton, unworthy of representing, or being represented." Yet the passive habits of the population, the want of union among its different races, and the habitual reverence for Spain, rendered long abortive all attempts and invitations to shake off the yoke, which might have continued for half a century longer, but for the shock produced by the invasion of Buonaparte, and the imprisonment of Ferdinand. The culpable and impolitic conduct of the Central Junta and the Cortes, with the barbarities committed by the American viceroys, soon rendered the breach irreparable; and the separation of the colonies from the mother country was finally decided.

Captain Cochrane gives a most gloomy picture of the sufferings of our countrymen, who came out as auxiliaries to the American cause. "In one fortnight, after leaving the luxuries of a well-found transport, they were in the midst of almost boundless plains, among a set of people who looked more like savages than a disciplined army. This extraordinary group were encamped, but there were no white tents to be seen in long regular lines of streets; theirs was the bivouac of savages; the arms were placed in the front of a wood, and piled up to prevent the sun's intense heat from cracking their huts; the officers were lounging or sleeping in their hammocks, swung between two trees; while the almost naked soldiers were lying, sleeping, singing, gambling, or cooking, under the shade of the trees. The British were soon made to know, that their rations, though plentiful, were confined to one article, three pounds of beef, without a grain of salt, a bit of bread, or anything in the shape of an apology for a vegetable; for drink, as much water as they chose to be at the trouble of

fetching. Money was found to be perfectly useless, as there were no sutlers, or followers of the camp. The old soldiers found that all their experience was perfectly useless; the young ones were quite dismayed." These were minor evils, compared to what were experienced after marching and countermarching for some time. "These marches often commenced before day-light, and continued long after dark, in order to reach wood and water, for the purpose of cooking; and during them it was no uncommon sight to see two or three soldiers lying dead at the edge of the small pools of muddy water, filled with alligators and snakes, out of which they had drunk too incautiously. It was found that the dysentery had made great inroads into the health of the British, from a constant use of meat without salt. Fifty being reported entirely unable to proceed, were mounted and sent to a miserable place in the rear, where they almost all died; several others daily fell sick, and it was necessary to mount them also: they soon appeared more like a field-hospital than a battalion fit for duty, in the front of an enemy, and served only as a laughing-stock and ridicule for the other troops, who were injured to the climate and bad fare. Some were unable to proceed from enormous ulcers, which had carried away some of their toes, and which threatened others with the total loss of feet or legs. These ulcers were brought on by general debility of body, from bad food, from having to march sometimes whole days together over plains covered with the sensitive plant, the thorns of which buried themselves in the soles of their feet; or from the feet and legs, after wading rivers, being exposed wet to the scorching heat of the sun. All were now barefooted, and almost naked, for few had more than a jacket and cap, and many were entirely without blankets; as they had, during the time the dysentery was upon them,

thrown away, or bartered for a little tobacco; or perhaps water, all their spare necessities, or had been robbed of them by their expert and necessitous companions. Thus, in four months, were these poor fellows reduced almost to the last state of misery, without even the consolation of having been of service to those whom they came to assist, not having as yet met the enemy; but, on the contrary, being despised and detested by their companions in arms, as a useless burden, or, as they expressed themselves, not worth the meat they consumed.

"But the cup of misery was not yet full; two-thirds of these last-named misfortunates were still doomed to witness the other perish on one day's march, not on the field of honour, for which they had so long and so ardently wished, and even prayed, but like frantic maniacs, on the summit of the Andes, on what is called by the natives, the Paramo of Chisba. On this paramo the air is so exceedingly rarified, that it is very difficult to breathe; and those who are affected by it become benumbed, froth at the mouth, lose their senses, tear out their hair, and, bereft of every sense and feeling by degrees, ultimately die. The natives recommend eating sugar, and drinking water, in preference to spirits, on passing these places; and flagellation to those who show symptoms of being affected, not letting them stop for an instant. Ignorant at the time of these remedies, and all, except flagellation, being out of their power, fifty Englishmen, two officers, and upwards of a hundred of the native troops, fell sacrifices, without the possibility of assistance being given to them. Out of five thousand horses and mules, there did not remain enough to transport the ammunition. The roads, if the beds of small mountain streams, or deep morasses, may be so termed, were literally strewn with, and in some places impeded by, dead, dying, tired, broken-

backed, or broken-legged horses and mules, besides saddles, bridles, baggage, &c.; some of these poor animals having fallen alive down precipices, at the bottom of which there was neither food nor water, must have been starved to death. In short, the army appeared more like one flying, anxious only to preserve life from a victorious and cruel enemy, than one on its march to attack more than three times its number of well-appointed and disciplined troops."

To the survivors, however, a complete deliverance took place on their leaving the mountains. "As they descended, were to be seen little villages, with their corn-fields, potatoe-fields, &c.: it was, in fact, to them, an entrance into an earthly paradise. At every turn of the road they were met by the inhabitants, bringing all sorts of clothing and provisions for the use of their deliverers, as they called them. With such a reception and such assistance, they were not long of recruiting both their health and spirits."

The accounts of Bolivar are extremely favourable, tending altogether to acquit him from the insinuation of M. Mollien, of being willing to establish absolute power over the country. The following expressions in the speech, by which he endeavoured to decline the appointment of President of Colombia, appear to us to breathe a very lofty and noble spirit. "I am the son of war, the man whom battles have raised to the magistracy. Fortune has sustained me in this rank, and victory has confirmed it. But these titles are not those which are consecrated by justice, by the welfare and wishes of the nation. The sword which has governed Colombia is not the balance of Astrea; it is the scourge of the genius of evil, which sometimes Heaven permits to descend to the earth for the punishment of tyrants, and the admonition of the people. The sword will be of no use on the day of peace, and that shall be the

last of my power; because I have sworn it within myself; because there can be no republic, when the people are not secure in the exercise of their own powers. A man like me is a dangerous citizen in a popular government—is a direct menace to the national sovereignty. I wish to become a citizen, in order that I may be free, and that all may be so too. I prefer the title of citizen to that of liberator, because this emanates from war, that from the laws. Exchange, sir, all my honours for that of a good citizen." He is said, in fact, to have shown a uniform aversion to all flattery and servility, and an applause of manly and independent sentiments. Coming to matters of less consequence, he is described, moreover, as a good swimmer, an elegant dancer, fond of music, and a very pleasant companion at table.

Captain Cochrane has given a very detailed account of the aspect and society of Bogota. His view of the national character is decidedly more favourable than that given by Mollien, which may be partly accounted for by the statement here made; that they are partial to the English, and disposed to form themselves on their model, while it transpires from the French writer, that they have rather a contrary feeling towards his countrymen. The natural temper of the Colombian is represented as assimilating more with that of the British: he is thoughtful, reserved, and requires time and knowledge of character before he becomes intimate. He then proves an excellent and valuable friend, particularly characterized by kindness of heart; and who will encounter much trouble and inconvenience in assisting his friend. It was also gratifying to observe their fixed cordiality towards each other, and the particular respect paid to the claims of intimacy, or the tightest relationship. Though they are fond of, and keen in, commercial pursuits, they did not appear so

selfish as the North Americans; at the same time it is allowed, with Mollien, that they have no disposition to engage even in the most promising speculations, and prefer plodding on in their old retail way. They seldom entertain company at home; but when they do, it must be a splendid and costly festival, in which a great part of their substance is wasted. The men are passionately devoted to gaming; and even on their country excursions, the moment they arrive at their destination, sit down to cards, and never give them up, unless to dine, and to return home. The favourite amusement of the ladies is the tertulla, or dance, which seems to be conducted nearly in the same formal style of which so lively a picture has been given by Captain Hall. The young ladies never stir from the sides of their mothers, unless to join in the country-dance; and when it is over, immediately return. They seemed, however, no way disinclined to escape, and enter into conversation with the English-officers; but their minds were so little informed, that their conversation was soon found to possess very little charm. We are sorry to find our countryman's report little more favourable than that already quoted relative to the virtue of the fair Colombians, the absence of which he imputes to that of cultivation of mind, and of any variety of objects to occupy their attention. Few, even of the men, have any habit of reading; or have acquired any intellectual cultivation. The government, however, and particularly the Vice-president, General Santander, are studiously seeking to promote improvement in this particular. Through his exertions schools have been established, not only in the capital, but in the most remote villages. A school of mineralogy also, with a national museum, is forming under the auspices of Don Mariano de Rivero, said to be a sensible and clever man, who has received a full European education.

Captain Cochrane went down the Atrato, a noble river, but the greater part of the banks marshy and uncultivated. Choco, which intervenes between it and the Pacific, is represented poor, its mines being worked by no adequate machinery, and scarcely paying its expenses. Near the head of this river it has been proposed to form a communication with the San Juan, a stream which falls into the Pacific; an operation which would connect that ocean with the Gulph of Mexico; but it would be a very circuitous communication, and, besides, would cost five hundred thousand dollars, which our traveller does not think can be mustered for fifty years. A direct cut across the Isthmus of Papama is certainly much more tempting.

On leaving the Atrato, Captain Cochrane proceeded along the Gulph of Darien, to the celebrated port of Cartagena. It had suffered severely during the war, and had been in some degree supplanted, as to trade, by Santa Martha, which lay much more conveniently for contraband transactions, and also for conveying goods up the Maddalena. The Colombians are using every effort to make it their grand emporium, and naval arsenal; and as the harbour can be made excellent, and a canal will soon form a full communication with the Maddalena, it is fully expected, now that the trade with England is legalized, that Cartagena will soon rise into higher commercial importance.

Information respecting quite a different quarter of America has just been laid before the public by Mr Caldeleugh, who crossed the American continent, from Buenos Ayres to Chili. We shall begin with his entrance into the La Plata. Here he soon encountered one of those tremendous hurricanes, called Pamperos, sweeping from the Andes over the immense level of the Pampas. For twenty minutes it was

most violent, with torrents of rain, continued lightning, but little thunder. It was afterwards found that it had travelled from Buenos Ayres, 125 miles distant, in less than an hour and a half.

Mr Caldeleugh landed first at Monte Video, on the opposite side of the river, the population of which was formerly estimated at 15,000 souls, but is at present reduced to not quite 10,000. It has been increasing lately, in consequence of being the most accessible point, and more settled than the opposite side of the river. The country here has an aspect almost quite European, and the genera of plants are nearly similar. After this district had been long held by Artigas, an independent chief, Brazil has lately contrived to annex it as a federal appendage. This has given deep dissatisfaction to the Buenos Ayreans; who, however, so long as the people themselves are content, would be very idle, we think, to go to war on the subject, when, within the vast limits of the Plata, the Andes, and Cape Horn, they have wherewithal to form a state of quite sufficient magnitude.

Buenos Ayres appeared to our traveller not the low town which it has been described. It stands on a bank considerably above the river, is regularly built, and adorned with the steeples of numerous churches and convents. The population has been estimated at 80,000, but does not, it is here supposed, exceed 65,000. It is surrounded by numerous rivers, spreading over wide flats, with little current, which would thus be peculiarly adapted for steam-navigation. A small-grained wheat is raised with success, though the earth is often turned up merely with the large bone of an ox, and the grain threshed by horses galloping over it. But the produce for which Buenos Ayres continues still pre-eminent, is that of cattle. The endless plains called the Pampas, covered with rich trefoil pastures, impregnated with salt, are peculiarly

adapted to this employment. Some breeders own six thousand head of horses alone. Mr Caldeleugh conceives even the immensity of the present number not to be above half what was formerly reared ; but the renewed outlet is expected again to revive the occupation. A whole ox may be purchased for five or six dollars ; and, as the hide is worth  $3\frac{1}{2}$  dollars, when the value of the horns and tallow is added, it becomes difficult to name any price that the meat is worth. Every man has one or more horses, which he keeps constantly saddled at the door, were it to ride only across the street. Even beggars beg on horseback, and do not consider that position as diminishing, in any degree, their claims to sympathy. There is little in the country of verdure or vegetation. Its exposed aspect, with the violent winds blowing over it, prevent trees of any description, especially fruit-trees, from thriving. Vegetables seemed better, but are little cared for, the gauchos, or farmers, esteeming them suitable food only for the lower animals. The trade with England is most extensive and increasing. Since 1816, when it was valued at 38,487*l.*, it rose, in 1822, to 1,164,745*l.* Among the exports were nearly a million of hides.

The state of Buenos Ayres has had little to suffer from the attacks of the mother country. Its evils have arisen from internal disunion, and the want of any fixed centre of power. Indeed, for many years, it was the scene of the most complete anarchy, attended with bloodshed ; but of late the exertions of Ribadavia, the secretary of government, and a man of great merit, have been productive of a great improvement in the town and immediate district. The provinces, however, remained still disunited, and refusing to yield to any central authority ; but we understand that since the time when our traveller was here, a general Congress has actually assembled in the capital. The most re-

fractory member is Dr Francia, who has obtained unlimited sway in Paraguay, the celebrated seat of the institutions of the Jesuits. The natives are as devoted to him as they were to the deputies of that fraternity. He has rendered them also much more warlike ; and, by surprise or stratagem, has caused all those to repent who attempted to penetrate in a hostile manner into his territory. He cuts off all communication with the surrounding districts, and never allows any one who has once entered his dominion to leave it. He kidnapped the celebrated traveller Bonpland, who, it is thought, will be kept in perpetual durance, and all the observations which he may make in this and in other quarters be lost to the world. Indeed, the Doctor carries this principle to an almost insane pitch, since he prohibits the exportation of the herb of Paraguay, which is here alone produced in perfection ; and, being a necessary of life over Chili and La Plata, would bring in, it is thought, a million sterling.

In Buenos Ayres a university has just been founded ; there is a large public, and some good private libraries ; schools on the system of Bell ; and, in general, very great attention paid to literature by the present administration. Few symptoms were seen of that religious bigotry so prevalent in Spanish society ; the English seemed scarcely at all less esteemed for being heretics. The people are fond of amusements, particularly the theatres. The chief private amusement is the tertulla, or evening party, where the ladies receive company, while the gentlemen of the family are probably visiting elsewhere. Respecting the former, Mr Caldeleugh praises highly their urbanity and politeness, and is, moreover, of opinion, that with regard to their general deportment, scandal has been a good deal too busy. Buenos Ayres appeared to him better as to morals than many other European cities



of the same size. The great blemishes in the character of the people seem to be indolence, the natural result of such a profusion of the necessaries of life, and gaming. "To sit in a pulperia, (spirit-shop,) and play at some game which requires little personal fatigue—to drink as fortune becomes unfavourable—and, in a fit of passion, to stab the more fortunate, is no uncommon mode of spending the day among the lowest inhabitants of Buenos Ayres." When a visitor enters a house, the host will not be at the trouble to rise and bid him welcome; and though he may take for himself anything that is there, no one will give him any help. "Upon the whole, however," says the author, "I cannot help thinking favourably of the Buenos Ayrean. He is free from deceit; would be most obliging, were it not for his indolence; and most amiable, if he had the slightest command over his passions."

A journey was now undertaken across the continent to Chili. The road lay through the Pampas, an immense extent of dull, dead flat; which being, moreover, intersected by swamps and streams, is very difficult to cross. Carriages sink into it, and, in the efforts to drag them through, are commonly broken to pieces before they reach the opposite side. Horseback is therefore the most convenient mode; though those who have time, and wish to explore at leisure the natural history of the country, may go in the large trading wagons, which afford conveyance at a very cheap rate. One great source of annoyance is from the native tribes, who, emboldened by the internal divisions, have come in from the south, and, though never in very great strength, plunder or carry off the straggling traveller. It was a relief from this dreary scene, when they beheld the Sierra de Cordova, a lower branch of the great Southern Andes. Here, however, they had a tremendous chase from a body of

Indians, who kept in sight of them for several days, obliging them to gallop full speed. In the heart of the Andes they found Mendoza, a city of 20,000 inhabitants, beautifully situated in a fertile and most delightful plain, and enriched by carrying on the commercial intercourse between the east and west of this part of the continent. This spot, buried in such deep seclusion, is well built, the inhabitants well informed, and more polished in their manners than those of any other part of America visited by our author. A good deal of wine is made in the neighbourhood, and some of it by no means bad. The goitre, that mysterious malady, which afflicts all such Alpine regions, is the chief scourge of Mendoza.

From Mendoza the road lay over one of the highest passes of the Andes, supposed about 12,800 feet above the sea, bordering on the lower limit of perpetual snow. Here the carcasses of mules which had fallen down, perhaps a hundred years ago, appeared as fresh as if they had died only the preceding day. The descent was steep, and a snow-storm which came on, was marked by the fall of large masses of rock. It was only two days after verdure had begun to reappear, that they arrived at St. Jago, the capital of Chili. The situation of this town is most picturesque, presenting a mass of vegetation in the centre of the barren mountains which overlook it. The houses, though neatly and regularly built, being of small height, are connected or intermingled with the foliage of the olive, the fig, and the mimosa, with which the gardens are filled. The inhabitants are reckoned at 48,000. Valparaiso, on the contrary, contains only 5000, but is a thriving port, though meanly built.

Mr Caldcleugh has not added very much to the interesting account already given of that country by Captain Hall. He reckons the entire population at 600,000. The gold and silver mines,

as usual, impoverish most of those who embark in them. The gold is found generally by washing the beds of rivers, and is very pure. The only portion deserving the name of mine exists in iron pyrites, but is neither rich nor extensively worked. The silver mines of the Chilian Cordilleras are almost entirely worked in veins through a clay slate.

Mr Caldcleugh made an excursion to Callao and Lima, but here too has not added much to the information of Captain Hall. He makes some curious observations on the climate: A poor sandy soil, on which for fourteen years there has not fallen a drop of rain, yields as fine fruits, and as heavy crops, as are found in any quarter of the globe. This happy effect arises from the thick damp fogs which, during the whole winter, lasting from May to November, are brought in from the Pacific with the morning breeze, and are only dispersed for a short time by the mid-day sun. The population of Peru is reckoned only at 1,400,000, which, we should think, must be under-rated. The comparatively unproductive state both of the Chilian and Peruvian mines, is considered as owing not at all to the scarcity of metal, but to the failure of ca-

pital and security, and to the water, which, in consequence of neglect, has filled up many of the cavities. To clear off this water, a considerable outlay would be requisite in the first instance; after which, with good machinery, the mines might become more productive than ever, and more so, indeed, than the world has much occasion for.

The return afforded an opportunity of visiting Cordova, a city of 14,000 inhabitants, in the territory of La Plata. It is characterized as "a city situated in a well," being so thoroughly screened from view, that the travelling party were in the streets before they were aware of approaching it. The great ornament of this town, and the most splendid edifice in America, is the College built by the Jesuits, and which they made the centre of their operations for civilizing the savage races in this part of the continent. The vast revenues formerly enjoyed by this institution are now so greatly reduced, as scarcely to suffice for keeping it in repair: It is attended by a hundred students.

The following statement is given of the population of the provinces of Rio de la Plata:—

	<i>Province.</i>	<i>Of which in Capital.</i>
Buenos Ayres,	140,000	60,000
Santa Fe,	60,000	25,000
Entre Rios,	45,000	20,000
Cordova,	44,000	14,000
Mendoza,	50,000	20,000
St Juan,	20,000	
Punta de St Louis,	20,000	
St Jago del Estero,	30,000	
Yacuinam,	28,000	
Salta,	20,000	
	<hr/> 457,000	

Poinsett's Notes on Mexico, made in the autumn of 1822, though their information is chiefly copied from Humboldt, and is thus both not original, and twenty years old, throws yet some light on the changes which the revolution has recently effected.

Mr Poinsett found Vera Cruz in a singular state, an intimate intercourse being kept up between the town and the castle, (San Juan de Ulloa,) which last forms the solitary point yet held by the Spanish government in Mexico; while, at the same time, the most strict military precautions were mutually taken. It is not here thought that there is any prospect of the castle being reduced, as it is very strong, well provisioned, defended by a hundred pieces of artillery, and incapable of being blockaded in winter on account of the sudden and heavy westerly gales.

At Vera Cruz, Mr Poinsett met two American gentlemen, who gave a most doleful account of the lot of a Mexican traveller. Nothing to eat but *cassia*, dried beef; nothing to drink but *mulque*, the fermented juice of the *agave*, inns destitute of all accommodation, and execrably dirty—coaches, great lumbering machines, dragged by ten mules—robbers at every mountain-pass, and frequently to be heard whistling and shouting, to the great dismay of the traveller.—Mr P., however, was not intimidated; and, though he found the inns nearly as described, and had some alarms from robbers, he arrived in safety, through a picturesque and generally fertile country, at the capital. The account given of the general aspect of Mexico seems worthy of extraction.

“The new city, which was commenced in 1824, is built on piles. The streets are sufficiently wide, and run nearly north and south, east and west, intersecting each other at right angles; they are all well paved, and have side-walks of flat stones. The public squares are spacious, and surrounded by build-

ings of hewn stone, and of very good architecture. The public edifices and churches are vast and splendid, and the private buildings, being constructed either of porous amygdaloid or of porphyry, have an air of solidity, and even of magnificence; they are of three and four stories high, with flat terrace roofs, and many of them are ornamented with iron balconies. The houses of Mexico are all squares with open courts, and the corridors, or interior piazzas, are ornamented with enormous china vases, containing evergreens. They are not so well furnished as our houses in the United States, but the apartments are more lofty and spacious, and better distributed. The entrance leads through a large gate into an inner court, with the stairs in front of the gate. The best apartments, which are generally gaudily painted, are on the street, and frequently on the second story above the ground floor.

“Our large cities are, many of them, neater than Mexico; but there is an appearance of solidity in the houses, and an air of grandeur in the aspect of the place, which are wanting in the cities of the United States. With us, however, a stranger does not see that striking and disgusting contrast between the magnificence of the wealthy and the squalid penury of the poor, which constantly meets his view in Mexico. I have described the palaces of the rich—the abode of poverty does not offend the eye. It is beneath the church porches, in miserable barracks in the suburbs, or under the canopy of heaven. There are at least twenty thousand inhabitants of this capital, the population of which does not exceed one hundred and fifty thousand souls, who have no permanent place of abode, and no ostensible means of gaining a livelihood. After passing the night, sometimes under cover, sometimes in the open air, they issue forth in the morning, like drones, to prey upon the community, to beg, to steal,

are fortunate enough to gain more than they require to maintain themselves for a day, they go to the pulqueria, and there dance, carouse, and get drunk on pulque and *vino mescal*, a brandy distilled from the fermented juice of the agave. Around, and under the pulquerias, which are open sheds covering a space of from fifty to a hundred feet, men and women may be seen in the evening, stretched on the ground, sleeping off the effects of their deep potations. These people, called by Humboldt *sragates* and *guachinangos*, are more generally known by the name of *leperos*. They are, for the most part, Indians and Mestizos; lively and extremely civil, asking alms with great humility, and pouring out prayers and blessings with astonishing volubility. They are most dexterous pick-pockets, and I heard of some instances of their sleight-of-hand, that surpass the happiest efforts of the light-fingered gentry of Paris or London.

"From what I have said of the *leperos* of Mexico, you will compare them to the Lazaroni of Naples: The comparison will be favourable to the latter, who work more readily, steal less frequently, and are sober."

The following adds another feature to the picture.

"In my walk this morning under the porticos leading to the principal square, I was struck with the singular exhibition they presented of the busy, the idle, and the devout. The shops were filled with tradesmen and purchasers. Under the porticos were men and women selling fruits and flowers, and wax-work representing with great accuracy the costumes of the country, the work of Indians, and the best of the sort I have ever seen. *Leperos* were leaning against the columns sunning themselves, and beggars and little urchins, selling pamphlets and gazettes, followed us with loud clamours. In the midst of this scene of noise and con-

fusion, I observed two women on their knees before a picture of the Virgin, which is inclosed in a glass case, and has always tapers burning before it. They were abstracted from all that was passing around them, and appeared to be really and devoutly absorbed in prayer. While looking at them and at the crowd, the tinkling of a small bell was heard; it announced the passage of the Host from the cathedral to the death-bed of a sinner. In an instant all was still. Shopkeepers and their customers, *leperos* and noisy children, all doffed their hats and knelt on the pavement, where they remained until the Host was out of sight, devoutly crossing themselves the while. We then rose, and the hum, and bustle, and clamour, were gradually renewed. We crossed the square, where there are always a number of hackney-coaches standing (better, I think, than the *farries* and *fiacres* of London and Paris), to the statue of Charles II., where, seated on the steps of the inclosure, we found a class of men who are called *evangelistas*. Their business is to indite memorials and epistles for those who cannot write themselves. Wrapped in his blanket, and furnished with pen and ink, and a basket full of paper, the evangelist is ready to furnish letters, in verse or prose, to all who apply for them. I listened for some time to one of them, who was writing a letter for a pretty young girl, and was artfully drawing her sentiments from her.

"The facility with which these men write is surprising. Memorials to ministers and judges, letters of condolence and congratulation, and epistles breathing love and friendship, succeed each other rapidly, and appear to cost but little effort. Some of them are tolerable improvisatori—a faculty more common among the people of Spanish America, than it is even among the Italians."

Mexico appears, certainly, to be the

most picturesque country in the world, combining the mountain grandeur of Switzerland, with the fertile plains of Italy. The following picture of the view from a height above the city, though not drawn by the pencil of a great master, may give some idea of it.

"The city was in the front of us, on the south of it the lakes of Xochimilco and Balco. On the north, the smaller lakes of Zumpanco and San Christobal; and a little on the east, that of Jessucuo; rich and fertile fields, interspersed with gardens and orchards, intervene; and the aqueducts, which traverse the country on lofty arches, present objects of great beauty and interest. The five great roads leading to the city are lined with large trees, and the hills covered with cultivated fields and woods, and the whole plain studded with small towns and well-built villages, with their numerous white churches and elevated spires, forming a strong contrast with the craggy and barren mountains that shut in the valley. Beyond these rise the volcanoes of Puebla, the Popocatepetl, and the Istaccihuatl, objects so grand and magnificent, that the eye always rests upon them with renewed delight. We lingered here until we saw this extensive and beautiful landscape mellowed in the shades of twilight, and the last rays of the setting sun refracted, in splendid tints, from the snowy mountains.

"The refraction of the sun's rays from large masses of snow, is, beyond description, magnificent, and no colouring can do justice to the variety and richness of the tints which, in some situations, are thrown upon a whole landscape. The scenes of Mexico and of Switzerland have only this feature in

common; but that is so strikingly beautiful, as frequently to recall my earliest impressions of the sublime and beautiful in natural objects, and to carry me back to that delightful period when I wandered on foot over the mountains of the Alps."

Mr Poinsett visited the formerly colossal mines of Valenciana, which once employed two thousand mules, and in which a hundred shafts were opened. They were now worked only very partially, and the water was continually rising higher and higher. The population of the place was reduced from 22,000 to 4,000. The city of Guanaxuato, to which Valenciana forms a sort of suburb, contained once, within the walls, 41,000; in 1822, only 15,300.

Mr Poinsett seems to consider the government of Iturbide as decidedly unpopular, though he admits that, as an American, he had a prepossession on the subject. He had an interview, however, with that usurper, and describes his address as pleasing, and his exterior as prepossessing. "He is about five feet ten inches high, stoutly made, and well-proportioned; his face is oval, and his features are very good, except his eyes, which were constantly bent on the ground or averted. His hair is brown, with red whiskers; and his complexion fair and ruddy, more like that of a German than of a Spaniard. In the course of half an hour's easy conversation, he took occasion to compliment the American on the institutions of his country, at the same time pretended to lament that they were not suited to the circumstances of his own, modestly insinuating, that he had yielded very reluctantly to the wishes of the people, merely to prevent misrule and anarchy."

NOTWITHSTANDING the imperfect success of Captain Parry's two expeditions, the British government did not relax in its liberal design of circumnavigating, if possible, Northern America; and whether this succeed or not, it was determined, by land or sea, to trace the polar limit of that great continent. Three expeditions were now fitted out; one, under Captain Parry, proceeded again in his first tract, and will endeavour, by way of Prince Regent's inlet, to find a way to the coast of America and the open sea traversed by Captain Franklin. Another, under Captain Lyon, was to take the route of the last voyage, and, proceeding to Repulse Bay, was thence to cross to the opposite side of Melville peninsula, and by boats, or any other mode found most effective, to connect that point with the limit of Captain Franklin's discoveries. The last is to be entirely a land expedition, and is conducted by Captain Franklin, who, from New York, will seek to reach his former station at the mouth of Hearne's river, thence to trace the coast, first to the mouth of Mackenzie's river, and then, if possible, as far as Behring's Straits.

All these expeditions were put in movement in the course of the year, but one only had a result, premature and disastrous. Captain Lyon did not even reach Repulse bay, the limit of Middleton's discoveries; but, in approaching it by the great inlet called Sir Thomas Roe's Welcome, was overtaken by so dreadful a tempest, as left no room for any consideration, than how to reach Britain in safety. As this is one of the most striking scenes of wreck and peril which we remember to have seen described, the picture drawn of it by Captain Lyon will be read with interest.

"Never shall I forget the dreariness of this most anxious night. Our ship pitch-

ed at such a rate, that it was not possible to stand even below, while on deck we were unable to move without holding by ropes which were stretched from side to side. The drift-snow flew in such sharp heavy flakes, that we could not look to windward, and it froze on deck to above a foot in depth. The sea made incessant breaches quite fore and aft the ship, and the temporary warmth it gave while it lashed over us, was most painfully checked by its almost immediately freezing on our clothes. To these discomforts were added the horrible uncertainty as to whether the cables would hold until day-light, and the conviction also that if they failed us, we should instantly be dashed to pieces; the wind blowing directly to the quarter in which we knew the shore must lie. Again, should they continue to hold us, we feared, by the ship's complaining so much forward, that the bitts would be torn up, or that she would settle down at her anchors, overpowered by some of the tremendous seas which burst over her.

"During the whole of this time, streams of heavy ice continued to drive down upon us, any of which, had it hung for a moment against the cables, would have broken them, and, at the same time, have allowed the bowsprit to pitch on it, and be destroyed. The masts would have followed this, for we were all so exhausted, and the ship was so coated with ice, that nothing could have been done to save them.

"We all lay down at times during the night, for to have remained constantly on deck would have quite overpowered us; I constantly went up, and shall never forget the desolate picture which was always before me.

"The hurricane blew with such violence as to be perfectly deafening; and the heavy wash of the sea made it difficult to reach the mainmast, where the

officer of the watch and his people sat shivering, completely cased in frozen snow, under a small tarpaulin, before which ropes were stretched to preserve them in their places. I never beheld a darker night, and its gloom was increased by the rays of a small horn lantern which was suspended from the mizen stay to show where the people sat.

"At dawn on the 13th, thirty minutes after four, A.M., we found that the best bower cable had parted, and as the gale now blew with terrific violence from the north, there was little reason to expect that the other anchors would hold long, or if they did, we pitched so deeply, and lifted so great a body of water each time, that it was feared the windlass and forecastle would be torn up, or she must go down at her anchors; although the ports were knocked out, and a considerable portion of the bulwark cut away, she could scarcely discharge one sea before shipping another, and the decks were frequently flooded to an alarming depth.

"At six A.M., all further doubts on this particular account were at an end, for, having received two overwhelming seas, both the other cables went at the same moment, and we were left helpless, without anchors, or any means of saving ourselves, should the shore, as we had every reason to expect, be close astern. And here again I had the happiness of witnessing the same general tranquillity as was shown on the 1st of September. There was no outcry that the cables were gone, but my friend Mr Manico, with Mr Carr the gunner, came aft as soon as they recovered their legs, and, in the lowest whisper, informed me that the cables had all parted. The ship, in trending to the wind, lay quite down on her broadside, and, as it then became evident that nothing held her, and that she was quite helpless, each man instinctively took his station, while the seamen at the leads,

having secured themselves as well as was in their power, repeated their soundings, on which our preservation depended, with as much composure as if we had been entering a friendly port. Here again that Almighty Power, which had before so mercifully preserved us, grappled us his protection, for it so happened that it was slackwater when we parted, the wind had come round to N. N. W. (*along the land,*) and our head fell off to north-east, or seaward; we set two trysails, for the ship would bear no more, and even with that lay her lee gunwale in the water. In a quarter of an hour we were in seventeen fathoms. Still expecting every moment to strike, from having no idea where we had anchored, I ordered the few remaining casks of the provisions received from the *Snapp*, to be hove overboard, for, being stowed round the capstan and abaft the mizen-mast, I feared their fetching way should we take the ground. At eight, the fore trysail gaff went in the slings, but we were unable to lower it, on account of the amazing force of the wind, and every rope being encrusted with a thick coating of ice. The decks were now so deeply covered with frozen snow and freezing sea-water, that it was scarcely possible, while we lay over so much, to stand on them; and all hands being wet and half frozen, without having had any refreshment for so many hours, our situation was rendered miserable in the extreme.

"Standing with our head to the north-east, we deepened the water, but increased the sea and wind, which latter was alone of sufficient strength to stave the larboard waist boat against the side of the ship, and also to damage that on the quarter by the same means.

"At eleven A. M., a wave filled, and swept away the larboard waist boat, from which, most providentially, the leads-man had just been called, with her davits and the swinging boom. At noon a dim meridian altitude was ob-

tained, and at two P.M. we observed Southampton Island from N. N. E. to E. b. S., very indistinctly, and distant eighteen or twenty miles, but could see nothing of the coast we had left, as it was still covered by dark clouds and snow-storms.

"In the afternoon, having well weighed in my mind all the circumstances of our distressed situation, I turned the hands up, and informed them that 'having now lost all our bower anchors, and chains, and being, in consequence, unable to bring up in any part of the Welcome; being exposed to the sets of a tremendous tide-way, and constant heavy gales, one of which was now rapidly sweeping us back to the southward, and being yet above eighty miles from Repulse Bay, with the shores leading to which we were unacquainted; our compasses useless, and it being impossible to continue under sail with any degree of safety in these dark twelve-hour nights, with the too often experienced certainty that the ship could not beat off a lee-shore, even in moderate weather, I had determined on making southing, to clear the narrows of the Welcome, after which, I should decide on some plan for our future operations.'"

The persevering efforts of government to explore the interior of Africa, were at length crowned with very extensive success. The expedition sent under Messrs Oudney, Denham, and Clapperton, discovered more remarkable features, giving to its geography more of a new aspect, than had ever been anticipated. The kingdom of Bornou, known for some time as the most extensive and important of interior Africa, had always been understood as running from north to south, and filling the intermediate space between the countries of the Niger, and those on the Mediterranean. It was now found, however, to be entirely in Central Africa,

and to be on the line traversed by the Niger itself. Another most prominent feature appeared: a great lake, or rather inland sea, filling the whole centre, and extending in one direction upwards of two hundred miles. Into this great lake two rivers emptied themselves. One was the Yegu, coming from the west, in the direction from which the Niger might be expected. It did not, indeed, present a magnitude corresponding to the descriptions and ideas of that celebrated stream, its breadth being only thirty feet, and the channel without any rapid current. In tracing its banks, however, the remains of many great cities were found, and it was ascertained to have issued from the lake Nyffe, in which a great portion of its waters might probably be evaporated. A river of much greater magnitude was found to enter it upon the north-east, which has not yet been traced far up, but has been supposed to be another branch of the Niger. The kingdom of Bornou, situated round this great lake, is supposed to contain about two millions of inhabitants, a number not proportioned to its extent; but many parts of it are arid, and unproductive. Thirty-six towns and cities are enumerated, of which Kouka is the present capital. The people have large unmeaning faces, flat negro noses, large mouths, good teeth, and high foreheads; they are tame, peaceable, and quiet. These particulars are communicated by the Quarterly Review, on authority understood as official, but as a mere foretaste of the information which will be contained in the journals of the travellers themselves; and as we understand that these journals have recently arrived at Tripoli, we may reserve, till after their appearance, a full analysis of the important information obtained by this mission. We lament to understand the death of Dr Oudney, one of the most intelligent of its members; but Major Denham still remains in Bornou, prosecuting



his researches; and Captain Laing, it has been announced, is proceeding across the desert, direct to Tombuctoo.

A good deal of curious information was gained by one, whose enterprize, exerting itself in somewhat of an odd English way, led him to traverse on foot the wilds of Siberia, as far as the Eastern Ocean. It is not our part to canvass the manner in which Captain Cochrane got forward; we leave that between him and the Quarterly.

We shall not follow the narration through the known tracts of Europe, but shall take him up at Nishnei-Novogorod, which, notwithstanding its surname bearing the import of little, surpasses now its famed and ancient sister city of the same name. It owes this new greatness to its having become the seat of an immense fair, which forms the commercial link between Europe and Tartary. The business done is estimated, it seems, at two hundred millions of roubles; but this we should think much more than double the real amount. Yet, it is feared that, after millions of money have been expended on the buildings upon this site, it may be buried under water by a shift which the Volga threatens to make in its channel. The population is reckoned 15,000 in ordinary periods, and nearly ten times that number during the fair.

From this place, our traveller descended the Volga to the half-Tartar capital of Kazan, reckoned the third city of Russia, with 40,000 souls, but just recovering from a fire, which, five years ago, laid completely in ashes a town whose houses are built, and its streets paved, with wood. This place is the residence of a good number of nobility, whose almost sole occupation is billiards and cards. Kazan is a large province, with 900,000 inhabitants, flat, and finely watered by the Volga and the Kama, but rendered by this site marshy and unwholesome. The next

place was Perm, a thriving little town, capital of a province, nearly as populous as Kazan. Indeed, as he approached Kazan, he describes the country as equal, in fertility and cultivation, to any he had ever seen. In this quarter are large distilleries, farmed out by government, which makes them a monopoly, in consequence of which the spirit is doubly or trebly watered; the profit going not to government, but to its officers. The Russians, however, are not so much to be deplored on account of the poor bargain they get, as if it had been of a more necessary or salutary article.

The ascent and descent of the Oural are so gradual, that our traveller was scarcely sensible he was passing the mighty barrier of Europe and Asia. The Asiatic side appeared to him in several respects preferable. The inhabitants of the villages were more civil, more hospitable, and more cleanly; and he declares, that he was obliged absolutely to lay by his purse, and give up the "hackneyed and unsocial custom of paying for food."

Catharinenburg, the first city on the Asiatic side, is the centre of extensive mines, which, being the property of government, and worked by slaves, are a very poor affair for all concerned. The workmen get only two pounds of black bread a-day, a suit of clothes, and 13s. 6d. sterling a-year. The emoluments of the officers seem derived almost solely from cheating, which our traveller seems to consider a matter of necessity; for their lawful wages have never been increased since the days of Catharine, and instead of being paid in silver roubles, worth 3s. 4d., are paid in paper, worth only 9d. In an immense iron establishment, belonging to the Yakoulef family, everything is carried on in a much superior style, and much more to the profit of the owners.

Captain C. walked over a fine road, through a swampy and woody country, "

to Tumeu, a small town, situated on the rapid banks of the Toura, with a considerable trade in timber, tallow, and hides. The next town was Tobolsk, a name terrible in Europe, as the place of Russian relegation from beyond the limits of social existence. But it does not seem at all to answer this character. It is a clean town, in a most commanding situation, built and paved with wood, with many handsome churches, and no convents, the markets and bazaars well regulated. Bread is to be had 36lbs. for a shilling, meat the same quantity for three shillings. Above all, the society is described as good, and marked by a general air of content and cheerfulness. The exiles are chiefly political, and no government, it is remarked, banishes fools; and being thought sufficiently secured "within the prison of unbounded wilds," any further precaution is deemed unnecessary.

After leaving Tobolsk, the route, ascending the Irtysh, lay through a wide pasture plain, with a good deal of cultivation round the villages, which, though dirty, appeared comfortable and happy. Omsk, at the junction of the Irtysh and Om, is a frontier fortress against the Kirghises, with a garrison of 4000 troops, who are kept in excellent order, and where there is a well-taught Lancastrian school, maintained by government. There is also one kept for the inhabitants, who amount to about 7500. The traveller declares these Kirghises to be the most miserable and filthy race he ever beheld, wearing nothing but trowsers, and having nothing in their wretched tents but one large iron kettle and wooden spoons. They readily sell their children for a pound of tobacco, or a bottle of brandy, and, it is alleged, steal the Russians for the purpose of selling them elsewhere. He describes, however, the appearance of their chiefs as handsome

and manly; their dress, a long robe of blue cloth, beautifully embroidered, and fastened round the waist by a highly-polished silver belt, from which was suspended a dagger, a knife, a pipe, and what in England might be termed a tinder-box, a shirt of coloured cotton, large Tartar trowsers, and boots to correspond; a handsome fur-cap, with a small black one under it, to cover the clean-shaved head; a long beard and bare neck. All the villages up the Irtysh are mere military posts, of which the liminary one is Semipalatinsk, with a garrison of 2000 men, as well ordered as that of Omsk. A little to the east is Ubinsk, "a dirty little place, called here a town," from which he had a view of the chain of mountains which divide the Russian and Chinese empires. He came nearly into contact with it at Bouktarna. He describes it as one of the most romantic spots in the universe; yet, unless within the fortress, there is not a tree or a shrub to be seen; only a vast plain of luxuriant herbage, diversified by bold and precipitous mountains, standing detached from each other. The fortresses do not prevent the Kirghises from committing dreadful havoc upon the cattle which feed upon this rich plain. At midnight, Captain Cochrane forded the little stream which forms the limit of the empires, and seated himself on a stone. "What can surpass that scene, I know not. Some of the loftiest granite mountains, spreading in various directions, inclosing some of the most luxuriant valleys in the world; yet all deserted—all this fair and fertile tract abandoned to wild beasts, merely to constitute a neutral territory."

At this point Captain C. left the Irtysh, and crossed to the Kolyvan, where the immense mines of Barnaoul form the most important object. Their chief product is silver, of which fresh mines are constantly discovered, "so that the whole district may be said to be silver."

The mines appear to be much better managed than those of Catharinenburg, and are consequently more productive. Thirteen thousand persons are constantly, and about fifty-five thousand occasionally employed; all serfs belonging to the emperor. The wages are almost too trifling to name; yet the necessaries of life are so excessively cheap, that the labourers are maintained in a state tolerably comfortable. The entire produce of these mines is stated at four millions and a half of roubles, or 200,000*l.* sterling. Twelve thousand horses and oxen, and fifteen hundred labourers, are employed in the sole task of conveying to Barnaoule the earth which contains the ore, for the purpose of its being extracted. Barnaoule is a town of 8000 inhabitants, well built of wood and brick, with beef at three farthings for two pounds, and everything else in proportion. In short, he considers the place the happiest, the best governed, and the neatest in Siberia.

At Barnaoule, Captain C. learned that an expedition was fitting out to explore the north-east of Asia; and animated by the spirit of British enterprise, he determined to hasten to join it, casting only a hasty glance at intermediate objects. Tomsk, capital of an extensive district, was found to contain 1800 houses, 12 churches, and about 9000 inhabitants. Thirty-five bullocks were seen sold for eighteen pounds; yet Tomsk is a miserable place, surrounded by a waste of brushwood, and misery the general character of the surrounding villages. The people are hospitable, but their morals by no means exemplary. Krasnoyarsk, on the contrary, is situated in a fine country. Irkutsk, capital of Eastern Siberia, is considered the handsomest of its towns; but it did not appear to our present traveller to equal Tobolsk. It contains, however, wide streets, a few very fine buildings, and 12 handsome churches; and it makes a display of rapid im-

provement, having been raised almost into existence within the last forty years. Irkutsk is the centre of an extensive commerce. Unfortunately, contempt on one side, and enmity on the other, prevail between the military classes and the merchants, who in Russia are regarded almost as the Jews were here formerly; and, indeed, commerce is under strange fetters. No man can be a first-rate merchant, or employ a capital of 100,000 roubles, without a licence from the emperor, purchased by paying 5 or 10 per cent of that amount. A good account is given of all the government establishments in this place.

Captain Cochrane now proceeded four hundred miles north-eastward to Yakutsk, which may be considered the last town on this side of the world. It is ill-built, and in the most exposed of all bleak situations, on the broad and lazy stream of the Lena, which is usually frozen by the 1st of October. It contains 7000 inhabitants, chiefly employed in the fur trade. The sable is still the staple fur; and the fine ones of Vitim and Olekma are valued at fifteen or twenty pounds sterling a-pair. Fifty thousand individuals, Russians, Yakuts, Tongonses, and Yukagires, pay tribute within the limits of this government, and the number of people is supposed to be about 185,000. The following are reported as the current prices of the different skins at Yakutsk:—

Bear,	. 20 <i>s.</i> to 25 <i>s.</i>
Sable,	. 30 <i>s.</i> to 150 <i>s.</i>
Sea Otter,	. 10 <i>l.</i> to 30 <i>l.</i>
River ditto,	. 30 <i>s.</i> to 40 <i>s.</i>
Black Fox,	. 5 <i>l.</i> to 30 <i>l.</i>
Red and Grey ditto,	. 2 <i>l.</i> to 3 <i>l.</i>
Wolves,	. 10 <i>s.</i> to 21 <i>s.</i>

The traders are said to make immense profits, gaining 150 per cent on the European commodities which they sell, and 100 per cent on the skins which they bring to Yakutsk.

From Yakutsk, our adventurer un-

dertook certainly a most daring expedition, across the vast frozen desert of the north-east of Asia, extending one thousand and eight hundred miles, to Nischney Kolymsk. Throughout the whole of this space, there are only a few Russian posts, of seven or eight houses each, called here towns, and at the distance of two or three hundred miles from each other. In the immense intermediate spaces, the only provision for travellers consists in charity yurts, little square buildings, with a fire-place in the middle. As they are only, however, at the precise distance of twenty-five miles, the traveller sometimes could not reach, and if active, sometimes went beyond them. The only resource then was to bivouac in the open air, many feet deep in snow; yet the position is described as surprisingly comfortable, there being always plenty of pine-wood to make a blazing fire; only it was necessary to lie so near, that one side was roasted, while the other was almost frozen. Nischney Kolymsk was the termination of this journey, performed in sixty-one days. It is a large town in this quarter of the world, containing fifty dwellings, and four hundred people; not a blade of grass to be seen in its vicinity; the very small number of horses and cows attempted to be kept, being fed upon the tops and stumps of the bushes. Their industry is confined to hunting, and, above all, to fishing; the produce and consumption of which, according to our author, really somewhat exceeds belief. He says that six hundred inhabitants, in a space of eighty miles, consume nearly two millions of pounds of fish; which makes fifty pounds a-day to each person. It is true, great part of this stock is shared with the dogs, each of whom, in the busy season, gets ten herrings a-day.

Beyond the Kolyma are found the Tchuktchi, a peculiar people, who occupy the north-eastern extremity of

Asia; a stout, rough, honest, bold, fearless race, who, alone of all the northern Asiatics, seem in no degree to own the supremacy of Russia. They come annually to a great fair held at the fortress of Ostrounaya, whither our author went to see it. There came to the fair sixty-eight men, sixty women, fifty-six children, and five hundred rein-deer. The Tchuktchi showed themselves very versant in tobacco, and not easily to be cheated as to that article. They took off forty thousand pounds, at three roubles a-pound, making 120,000 roubles. The other articles are kettles, knives, spears, needles, bells, scissors, pipes, axes, spoons, coral beads, and other small ornaments. In return, they brought of the productions of their own country 400 or 500 sea-horse teeth, a few bear-skins, rein-deer dresses, and white foxes. The most valuable articles, however, were from the American coast; the furs of black, brown, blue, red, and white foxes, martins, some beavers, river otters, bears, wolves, sea-dogs, and sea-horse skins.

Notwithstanding all the posting and peril by which Captain C. had got on to this place, he failed in his object. At Nischney Kolymsk, indeed, he found Baron Wrangel, whom he pronounces without an equal in the Russian navy; but the Baron, though he received him extremely well, stated, that he could not allow him to become his companion, without express authority from the Russian government. In the course of his stay, however, the Baron accomplished his journey, which consisted in doubling Shelatzkoï Noss, and tracing its connexion with the eastern cape of Asia, thereby ascertaining the disjunction of the Asiatic and American continents.

Captain Cochrane's next object was to cross over to America; and he endeavoured to procure from the Tchuktchi, a consent to convey him thither,

but appears to have failed, in consequence of pretending that he was on a mission from the emperor; a falsehood which their sagacity enabled them easily to detect. He could only accomplish this scheme, therefore, by going to Ochotsk, the port of Siberia on the eastern ocean. His easiest route was back by Yakutzk; but desirous to avoid retracing two thousand miles of so monotonous a region, he determined to strike across, through a most desolate and unfrequented route, the hardships of which, if they are not greatly exaggerated, must have been almost beyond human endurance. His own picture is as follows:—"My route lay along the Kolyma, Zyzyanka, Indigirka, Omekon, and Okota; all of which are, at this season of the year, large, rapid, dangerous, and almost impassable rivers. Besides these, there are numerous other streams, besides lofty mountains of frozen snow, large overflowed marshes, crowded and decayed forests; suffering at the same time cold, rain, hunger, and fatigue, with forty-five nights' exposure to the snow; at times without fire, in a frost of thirty degrees; and latterly, five days being passed without food; never having seen an individual during four hundred miles, and but one habitation in the extent of one thousand."

Okotsk was found to be a little, thriving, well-governed port, containing 1500 inhabitants, and promising to be, next to Irkutsk, the neatest town in Asiatic Russia. The present governor has changed the site from a low sandy beach on the sea-side, to a new and much better position on the opposite bank of the Okota. Only the government houses have yet been erected there, but the rest are gradually transferring and building on a regular plan. Okotsk carries on all the trade of Kamtschatka, and of North-western America. The exports are the same already enumerated as taken off by the Tschutchi; the imports are almost entirely fine furs,

an article of little bulk and great value; no other, indeed, could pay the immense land and river carriage across Siberia. The persons employed by government amount to about 600, and cost only ten thousand pounds per annum. The revenue, however, does not nearly defray this expense. The abuses must, indeed, have been enormous, if, as here stated, it was customary for an officer, whenever he wanted money, to step into the dock-yard, take out articles to the requisite amount, and sell them for his own behoof, but this practice is said to be now at an end. The commerce of Eastern Siberia could have been carried on with much greater advantage, if the late differences with the Chinese had terminated in giving to Russia the free navigation of the Amour; and this is an article which one would think she might have been able to dictate; but the fact is otherwise.

Here Captain Cochrane determined, for reasons which we shall not canvass, to give up his plan of exploring America, and to conclude his survey with the Kamtschadale peninsula. Its port, called St Peter's and St Paul's, seems to be a gay thriving place, where our author found even the opportunity of selecting a wife. In a tour along the coast, he judged it the most amply stocked with the necessaries of life, of any country he had ever seen. "Wood of the first growth, fish in a most abundant quantity, game of the finest flavour, and of various species, pastures inconsumable; a chase which yields foxes, sables, river-otters, bears, wolves, &c. of the finest specimens." The people seem, however, to be peculiarly poor and oppressed, it having been established as a maxim of government, that "God is high, and the emperor far off." Of late, however, the *yasack*, or capitation, has been reduced one half. Great ravage has also been committed by infectious and cutaneous diseases, so that the numbers have sus-

tained a considerable diminution; though this is no longer supposed to be progressive. The Kamtschadales are described to be as formerly, honest, gentle, lazy, drunken, servile, disburthened of all care and consideration for the future. The population of the peninsula is reckoned at 4574, of whom 2760 are Kamtschadales, with nearly the same number of dogs; 1260 Russians; 598 Koriaks, and other races. These particulars exceed the total by 44, for which the author must answer.

Captain Cochrane now returned by the same route, and through nearly the same places; but we have generally incorporated his second observations with his first, and need not accompany him back. He visited Kiakhta, and the corresponding Chinese city of Maimatshin, but found nothing to add to the account given by Cox, of the commercial intercourse between these two great empires.

## CHAP. II.

## EMINENT CHARACTERS DECEASED.

*Lord Byron—Louis XVIII.—Girodet, the French Painter—The Duchess of Devonshire.*

THE obituary of this year presented few names that appear entitled to a place in this department of the volume. There fell, however, one name, mighty beyond any other; an individual who, with one great and past exception, ranked perhaps prominent in the eye of the world. The mighty ruler and conqueror of Europe scarcely, in a literary and refined age, held a more conspicuous place than the monarch of the realms of poesy. The individual, who must be at once recognized under this title, has not been less marked by his life than by his poems, and pursued in both a daring and eccentric orbit, whose aspect, though doubtful and perilous, rivetted continually the gaze of mankind. A painful task devolves on the writer who must trace a career at once so bright and so dark; who must neither forget the reverence due to gifts so exalted, nor suffer their splendour, by the associating power of the human heart, to be transferred to other qualities which the fate of our frail and erring nature causes to be combined in the same character.

The Byron lineage was ancient and

illustrious, being to be traced back to the Conquest. Two Byrons fell at the battle of Cressy; and Sir John de Byron distinguished himself on the field of Bosworth. But their most distinguished figure was in the civil wars, when Sir John, then the family representative, had eleven sons who fought in the cause of Charles. Of these, seven were present, and four fell, at the fatal battle of Marston Moor. Sir John Byron, one of the few survivors, received for these and other services, the title of Lord, which ever after remained in his family. Another ancestor was Commodore Byron, noted for his unfortunate voyage and perilous adventures on the coast of Patagonia. He maintained always the reputation of a good seaman, but a most unfortunate one, and passed among the sailors under the appellation of "Foul Weather Jack."

John, the son of Commodore Byron, and father to the subject of the present memoir, is one of whom everything that is evil is related. He was called "Mad Jack Byron," and his dissoluteness was so extreme, that it was considered a

disgrace to be seen in his company. After ruining his fortune, he endeavoured to patch it up by marrying Miss Catherine Gordon, an Aberdeenshire heiress. In a few years, he squandered her property, went abroad, and left her almost destitute. In this situation, being shunned by all his family, Mrs Byron went to reside at Aberdeen, where she lived in the most retired manner, and carried on the early education of her son. Considering "that she had nothing on earth but him to live for," she is alleged to have shown an extreme and injudicious fondness, which tended to strengthen the defects of his character. At school, it was observed, that he did not show any peculiar delight in study, and was chiefly ambitious to excel in hardy sports, particularly in swimming, fishing, and steering a boat. His powers were, however, shown when absence occasionally threw him behind his school-fellows, by the rapidity with which he made up to them; when, having redeemed his loss, he contented himself with maintaining the character of a tolerable scholar.

When George Byron Gordon, as he was then called, was little more than ten years old, his uncle, Lord Byron, a man of violent and ungovernable passions, and who had killed a near relation in a duel, died without issue. The deserted orphan became thus heir to his title and estate, and had an entirely new prospect before him. His education was immediately put in the usual train of that of Englishmen of rank, and he was sent successively to Harrow, and to Cambridge. Both at school and at college, he had the reputation of a wild, clever boy, who trampled upon rules, and distinguished himself more without the class than within. His tone of disdainful sarcasm was already shown at college, by keeping a bear, with the declared purpose of making the animal a graduate. Before the age

of sixteen, he formed a boyish passion for a Miss Chaworth, whom he met at Newstead during his vacations. She married another, to the deep distress of her youthful lover, who had, erroneously as he afterwards admitted, ascribed to her all the perfections which belong to heroines of romance. It seems too much, however, with some of his biographers, to impute to this disappointment much of the gloom of his future character. Such early mishaps must be pretty common, and the impression, probably, would not be of very long duration. Doubtless, however, this adventure would have an influence in developing his character, and making him feel the depths of his own heart.

At nineteen, Lord Byron retired to Newstead, and appeared to employ himself chiefly in country sports. Although, however, there is so little record of any regular study, it is plain he must somehow or other have imbibed habits of reading, and a taste for literature, since, at this very time, there came forth "Hours of Idleness," which could not have been the product of an uncultivated mind. Though considerably crude and juvenile, they have many passages marked by that vigour of thought and fancy which rendered him afterwards the first poet of his age. The volume, however, was overtaken by a woful disaster. The leading critical journal of the nation, though in an article we believe not written by its editor himself, not only pronounced sentence of condemnation, but held it up to ridicule and contempt. Such treatment could not fail to call forth all that gall which was copiously lodged in the breast of the injured bard. *Fecit indignatio versus.* He produced "English Bards and Scotch Reviewers," a very keen and powerful satire, and certainly a wonderful performance for a boy of twenty. It was of too popular a nature to be neglected, and



gained him considerable reputation. Unfortunately, his own conduct afforded room for the satire which he thus exercised upon others. Repairing to London, he plunged into that vortex of dissipation which was but too tempting to a youth in full possession of wealth, and freed from any restraint. In so powerful a mind, this mode of life was soon found to be empty and unsatisfactory, while the false principles which he had early imbibed indisposed him to turn into any better career. "At this period of his life," says Mr Dallas, "his mind was full of bitter discontent. Already satiated with pleasure, and disgusted with those companions who have no other resource, he had resolved on mastering his appetite; he broke up his harams, and he reduced his appetite to a diet the most simple and abstemious; but the passions of his heart were too mighty; nor did it ever enter into his mind to overcome them; resentment, anger, and hatred, held full sway over him, and his greatest gratification at that time was in overcharging his pen with gall, which flowed in every direction, against individuals, his country, the world, the universe, creation, and his Creator. He might have become, he ought to have been, a different creature; and he but too well accounts for the unfortunate bias of his disposition in the following lines:—

"E'en I, least thinking of a thoughtless throng,  
Just skill'd to know the right, and choose the  
wrong.

Forced at that age when reason's shield is lost,  
To fight my course through passion's count-  
less host."

"When every path of Pleasure's flowery way  
Has lured in turn, and all have led astray."

He was, besides, in a situation peculiarly solitary, having never received any notice from the relations of his family. The Earl of Carlisle, with whom he was nearly connected, and whose notice he courted as a man of letters, treated him with extreme coldness.

When he went to take his seat in the House of Peers, he had not an individual of his own rank to introduce him. When there, indeed, the disdainful manner in which he met the cordial reception of the Lord Chancellor, cannot be justified. On leaving England, he told Mr Dallas, "I do not believe I shall leave behind me, yourself and family excepted, and perhaps my mother, a single being who will care what becomes of me."

Thus, the young peer left England in a state, apparently, of entire disgust with the world, and apathy to everything. Yet close observers might have foreseen this as the era of a great crisis in his destiny. The human heart has an elastic power, which causes it to rise with augmented force from out of its moments of deepest depression. The soul, as it emerges out of this state of living death, feels objects with a force, and receives impressions of a depth, to which it is a stranger in its easy and happy hours. The scene which now met his eyes was one undoubtedly calculated to kindle the highest pitch of poetic enthusiasm. He viewed the scenery and monuments of ancient Greece, both equally awful and magnificent; he had the opportunity of treading the theatre of those mighty achievements, which we are taught to regard with almost religious veneration. Man, indeed, and the existing state of society, presented itself under a gloomy and degraded aspect. Yet is there not wanting something in the oriental mind, that is deeply poetic. Recluse and serious, all their passions possess a solemn depth to which Europeans are strangers. We may particularly notice their veneration for ancestors, the intimate and almost gay communion between the living and the dead. Hence that singular celebration, the weekly feast of the dead, when the family repairs to the tombs of their ancestors, and hold it as a period of festival.

Lord Byron returned thus with a rich, untouched mine of high poetic ideas. When Mr Dallas saw him soon after, Childs Harold already existed, but was stated only as a series of stanzas carelessly thrown out, and which the opinion of an eminent critic had led him to think unworthy of publication. He himself was full of an imitation of Horace, which he intended to make a sort of sequel to the "English Bards." The public are certainly indebted to Mr Dallas for inspiring him with more just conceptions upon this head, and for at least obtaining permission to publish it. It was still some time before he would grant permission to affix his name to it; but occasional glimpses obtained of it in the literary circle at Murray's, brought such flattering judgments, that he ceased to be very apprehensive. The work, on its appearance, was received with an acclaim of admiration of which there is scarcely any example, and the author took his station at once in the first class of English poets. The whole train of thought is grand, daring, and original; but the classic and solemn enthusiasm inspired by the view of the departed glories of Greece, has inspired strains which nothing, perhaps, in the whole circle of poetry, has surpassed.

"And yet how lovely in thine age of woe,  
Land of lost gods and godlike men, art thou!  
Thy vales of evergreen, thy hills of snow.  
Proclaim thee nature's varied favourite now;  
Thy fanes, thy temples, to thy surface bow,  
Commingling slowly with heroic earth,  
Broke by the share of every rustic plough."

"Yet are thy skies as blue, thy crags as wild,  
Sweet are thy groves, and verdant are thy  
fields:

Thine olive ripe as when Minerva smiled,  
And still his honeyed wealth Hymettus yields;  
There the blithe bee his fragrant fortress builds,  
The free-born wanderer of thy mountain air;  
Apollo still thy song, long summer, gilds,  
Still in his beam Mendel's marbles glare:  
Art, glory, freedom fail, but nature still is  
fair.

"Where'er we tread, 'tis haunted, holy ground,  
No earth of thine is lost in vulgar mould;  
But one vast realm of wonder spreads around,  
And all the muse's tales seem truly told,  
Till the sense aches with gazing to behold  
The scenes our earliest dreams have dwelt  
upon.

Each hill and dale, each deepening glen and  
wood,

Defies the power which crush'd thy temples  
gone:

Age shakes Athena's tower, but spares gray  
Marathon.

"The sun, the soil, but not the slave, the  
same,

Unchanged in all, except its foreign lord,  
Preserve alike its bounds and boundless fame  
The battle-field, where Persia's victim horde  
First bow'd beneath the brunt of Hella's  
sword;

As, on the morn, to distant glory dear,  
When Marathon became a magic word;  
Which, utter'd to the hearer's eye, appear  
The camp, the host, the fight, the conqueror's  
career.

"The flying Mede, his shaftless, broken bow;  
The fiery Greek, his red pursuing spear;  
Mountains above, earth's, ocean's plain, be-  
low;

Death in the front, destruction in the rear—"

Among the attractions of this poem for the public, one of the most powerful was the impression so irresistibly suggested, that the wanderings and feelings portrayed in it were those of the poet himself. In spite of repeated protests, the public continued to believe, in respect to every successive poem, that the model of its hero had not been sought for in the world at large, but had been found in his own heart. It has often struck us, considering that egotism, in ordinary cases, is the most dull and tiresome of all things, how the egotism of a Byron and a Rousseau should communicate to their writings so peculiar a charm. It is evident that it is not genius overcoming a difficulty, but possessing an advantage which heightens its effect. Perhaps the chief reason is, that the one egotize on little individual objects and occurrences which concern nobody but themselves; the others, on

those parts of their nature which they have in common with the rest of mankind, and which therefore excite in all corresponding emotions. In Byron, especially, it is the elementary passions of the human breast which are portrayed with all the force of actual and individual feeling, and which find, therefore, a responsive chord in every other bosom.

Lord Byron's exultation at his success is described as almost unbounded, and we are sorry to add Mr Dallas's conviction, that he was undone by it. Those habits of prudence and self-command, which he was beginning at least to endeavour to form, were entirely broken up, and he again sailed down the unbounded sea of self-indulgence. He had made about the same time a not unsuccessful effort to appear in the character of a senator. His speech on the frame-breaking bill contains powerful and characteristic passages, which augur an effective opposition orator. He did not prosecute this career, however; but, again wooing the muses, produced successively the Giaour, the Bride of Abydos, and the Corsair. These narrative poems supported and extended his fame. The tumult of passion, and rude grandeur of character, in his heroes; the soft charm spread over his female characters; the deep and searching pathos of the catastrophes; produced altogether the most powerful impression. The Corsair, perhaps, is the poem in which those qualities shine most conspicuous. In publishing it, he announced his resolution to publish no more; and perhaps he would have been wise to have adhered to this purpose. He could scarcely expect to produce anything superior, in their respective departments, to Childe Harold and the Corsair; and his vein was now beginning to be exhausted. The vows of authors, however, are not sacred, like those of lovers; and his breach of faith, though almost immediate, was easily forgiven.

Lara, his next production, was certainly inferior to the Corsair, though the pathos, at the close, is perhaps more powerful than in any other of his works. The Siege of Corinth and Parisina were still more inferior.

Our tale becomes more painful as we proceed. In an inauspicious hour Lord Byron was united to Miss Millbank, seemingly without either party well knowing why; and in a short time the union was closed by a complete and final rupture. We wish to say little on a subject involved in so much mystery. The admissions which, according to Captain Medwin, he himself made, particularly that all his friends took part with Lady Byron, seem almost to exclude the ordinary presumption, that, in such unfortunate cases, there must be faults on both sides. Proof, however, seems to be offered, that it was rather from irregular habits and impatience of restraint, than from deliberate intention of behaving ill, that he afforded room for the separation. He certainly appears to have deeply lamented it; and there is no doubt that it completed his ruin. Placed without the pale of respectable society, his fortune injured, and all prospects of domestic felicity finally cut off, he quitted England, to seek consolation elsewhere in the indulgence of every wild and wayward fancy.

From his retreat in Switzerland and Italy, Lord Byron continued busily writing and publishing poetry. His first production was the third canto of Childe Harold, a poem of distinct and peculiar character, and certainly containing passages of the greatest power; yet we cannot, on the whole, think it equal to the two first. There is a considerable infusion of that peculiar vein which is vulgarly called the lake poetry; and without meaning to depreciate which, we cannot but think it does not harmonize well with that of Byron. The fourth canto, on Italy, has little of a

marked character, and is, on the whole, inferior to the other three ; still, many

that ever was written. What can be more beautiful than its close ?—

About this time, a number of little pieces issued from Lord Byron's pen—*Manfred*, the *Prisoner of Chillon*, the *Lament of Tasso*, *Mazeppa*. These bore the stamp of his genius, yet could not rank with his happier effusions. The exhaustion of his original vein seems marked by the attempt to excite interest by violent and peculiar situations ; whereas his true power certainly consisted in delineating the workings of the human heart under circumstances that belong to the ordinary fate of humanity. He became next very ambitious to shine as a dramatic poet ; but though his productions of this class possessed great beauty as poems, they were never successful as dramas, and probably never would have been so. In comparing Shakspeare and Byron, the most marked opposition is at once discovered. In the varied productions of the former, there is scarcely anything which makes us perceive what he really felt, and was in himself ; he identifies himself wholly with each successive character whom he brings upon the stage. But the character of Byron is that of rigid and fixed individuality ; he never goes far beyond the circle of his own heart, and is speedily re-attracted thither. He can then give its own language to one character only, which alone can never support a great dramatic composition.

Lord Byron was now dragged into courses which are but too notorious, and which we feel no inclination to put on record. Yet we cannot help remarking, that there might be selected out of

*Don Juan*,—at least its first five stanzas, for we have not dug any deeper,—passages as splendid in power and pathos as any in his other writings. The adventure of *Haidée*, in particular, with a little modification and pruning, might be rendered one of the most interesting

“ She died, but not alone ; she held within  
A second principle of life, which might  
Have dawn'd a fair and sinless child of sin,  
But closed its little being without light,  
And went down to the grave unborn, wherein  
Blossom and bough lie wither'd with one blight :  
In vain the dews of heaven descend above  
The bleeding flower and blasted fruit of love.

“ That isle is now all desolate and bare,  
Its dwellings down, its tenants pass'd away ;  
None but her own and father's grave is there,  
And nothing outward tells of human clay.  
Ye could not know where lies a thing so fair ;  
No stone is there to show, no tongue to say,  
What was ; no dirge, except the hollow seas,  
Mourns o'er the beauty of the Cyclades.”

We would wish to except also from the anathema of the public, the dramatic poem entitled “ *Heaven and Earth*,” which seems to have been rejected by Mr Murray, and consigned to reprobation by the public, upon the mere alarm of its name ; for it is really one of the most beautiful and most unexceptionable poems he has written. We wish, therefore, some one would dig it out of the rubbish of the *Liberal*, and put it in some regular edition of his pieces.

We can happily close the career of Byron with one redeeming feature. It were unreasonable, and of evil example, that a single act of good should be allowed to gild the errors of a life, still that act was certainly marked by a lofty and generous self-devotion, and showed a mind capable of being great in acting, as well as writing. To the cause of Greece he seems to have most sincerely, and even patiently, devoted himself. It soon proved that he had undertaken a most difficult task. On his arrival, the dissensions between the chiefs were at their height ; and a great part of the troops were little better than savages, who could be managed in a rude way by their own leaders, but could never be united in any systematic manner,

especially upon foreign suggestion. The vexations and disappointments arising from these circumstances preyed so strongly on his mind, that they brought on a series of violent fits of epilepsy. These attacks left behind them a degree of weakness, which probably exposed him to a fever, which the damp climate of Missolonghi of itself tended to excite. Through misconduct either on his own part, or that of his physicians, it unfortunately proved fatal, on the 19th April, 1824. The deep expressions of grief and regret on the part of the Greek government evidently show, that they attached no little importance to his influence and aid.

It were now the time to have attempted the arduous task of drawing a general character of this great and extraordinary person. Happily, however, we find this duty already performed, with all the enthusiasm of kindred genius, by one who has long divided with Byron the public admiration, and who, if, with some difficulty, he be allowed to yield the very first place as a poet, must, from his wide observation and varied attainments, be viewed as, on the whole, a being more highly and remarkably gifted.

“ Amidst the general calmness of the political atmosphere, we have been stunned, from another quarter, by one of those death-notes, which are pealed at intervals, as from an Archangel's trumpet, to awaken the soul of a whole people at once. Lord Byron, who has so long and so amply filled the highest place in the public eye, has shared the lot of humanity. His lordship died at Missolonghi on the 19th of April. That

Genius, which walked amongst as something superior to ordinary life, and whose powers were beheld with wonder, and something approaching to terror, as if we knew not whether they were of good or of evil, is laid as soundly to rest as the poor peasant whose ideas never went beyond

his daily task. The voice of just blame, and of malignant censure, are at once silenced; and we feel almost as if the great luminary of Heaven had suddenly disappeared from the sky, at the moment when every telescope was levelled for the examination of the spots which dimmed its brightness. It is not now the question, what were Byron's faults, what his mistakes; but, how is the blank which he has left in British literature to be filled up? Not, we fear, in one generation, which, among many highly gifted persons, has produced none who approached Byron in ORIGINALITY, the first attribute of genius. Only thirty-seven years old—so much already done for immortality—so much time remaining, as it seemed to us shortsighted mortals, to maintain and to extend his fame, and to atone for errors in conduct, and levities in composition,—who will not grieve that such a race has been shortened, though not always keeping the straight path, such a light extinguished, though sometimes flaming to dazzle and to bewilder? One word on this ungrateful subject ere we quit it for ever.

“ The errors of Lord Byron arose neither from depravity of heart,—for nature had not committed the anomaly of uniting to such extraordinary talents an imperfect moral sense,—nor from feelings dead to the admiration of virtue. No man had ever a kinder heart for sympathy, or a more open hand for the relief of distress; and no mind was ever more formed for the enthusiastic admiration of noble actions, providing he was convinced that the actors had proceeded on disinterested principles. Lord Byron was totally free from the curse and degradation of literature, its jealousies we mean, and its envy. But his wonderful genius was of a nature which disdained restraint, even when restraint was most wholesome. When at school, the tasks in which he excelled, were those only which he under-

look voluntarily ; and his situation as a young man of rank, with strong passions, and in the uncontrolled enjoyment of a considerable fortune, added to that impatience of strictures or coercion which was natural to him. As an author, he refused to plead at the bar of criticism ; as a man, he would not submit to be morally amenable to the tribunal of public opinion. Remonstrances from a friend, of whose intentions and kindness he was secure, had often great weight with him ; but there were few who could venture on a task so difficult. Reproof he endured with impatience, and reproach hardened him in his error ; so that he often resembled the gallant war-steed, who rushes forward on the steel that wounds him. In the most painful crisis of his private life, he evinced this irritability and impatience of censure in such a degree, as almost to resemble the noble victim of the bull-fight, which is more maddened by the squibs, darts, and petty annoyances, of the unworthy crowds beyond the lists, than by the lance of his nobler, and, so to speak, his more legitimate antagonist. In a word, much of that in which he erred, was in bravado and scorn of his censors, and was done with the motive of Dryden's despot, " to show his arbitrary power." It is needless to say, that his was a false and prejudiced view of such a contest ; and that if the noble bard gained a sort of triumph, by compelling the world to read poetry, though mixed with baser matter, because it was *his*, he gave, in return, an unworthy triumph to the unworthy, besides deep sorrow to those whose applause in his cooler moments he most valued.

It was the same with his politics, which on several occasions assumed a tone menacing and contemptuous to the constitution of his country ; while, in fact, Lord Byron was in his own heart sufficiently sensible, not only of his privileges as a Briton, but of the distinc-

tion attending his high birth and rank, and was peculiarly sensitive of those shades which constitute what is termed the manners of a gentleman. Indeed, notwithstanding his having employed epigrams, and all the petty war of wit, when such would have been much better abstained from, he would have been found, had a collision taken place between the aristocratic and democratic parties in the state, exerting all his energies in defence of that to which he naturally belonged. His own feeling on these subjects he has explained in the very last canto of *Don Juan* ; and they are in entire harmony with the opinions which we have seen expressed in his correspondence, at a moment when matters appeared to approach a serious struggle in his native country :—

' He was as independent—ay, much more,  
Than those who were not paid for independence ;

As common soldiers, or a common—Shore,  
Have in their several arts or parts ascendance

O'er the irregulars in lust or gore,  
Who do not give professional attendance.  
Thus on the mob all statesmen are as eager  
To prove their pride, as footmen to a beggar.'

" We are not, however, Byron's apologists, for *now*, alas ! he needs none. His excellencies will *now* be universally acknowledged, and his faults (let us hope and believe) not remembered in his epitaph. It will be recollected what a part he has sustained in British literature since the first appearance of *Childe Harold*, a space of nearly sixteen years. There has been no reposing under the shade of his laurels, no living upon the resource of past reputation ; none of that *oddling* and petty precaution, which little authors call " taking care of their fame." Byron let his fame take care of itself. His foot was always in the arena, his shield hung always in the lists ; and although his own gigantic renown increased the difficulty of the struggle, since he could produce no-

thing, however great, which exceeded the public estimate of his genius, yet he advanced to the honourable contest again and again and again, and came always off with distinction, almost always with complete triumph. As various in composition as Shakspeare himself, (this will be admitted by all who are acquainted with his *Don Juan*,) he has embraced every topic of human life, and sounded every string on the divine harp, from its slightest to its most powerful and heart-astounding tones. There is scarce a passion, or a situation, which has escaped his pen: and he might be drawn, like Garrick, between the Weeping and the Laughing Muse, although his most powerful efforts have certainly been dedicated to Melpomene. His genius seemed as prolific as various. The most prodigal use did not exhaust his powers, nay, seemed rather to increase their vigour. Neither *Childe Harold*, nor any of the most beautiful of Byron's earlier tales, contain more exquisite morsels of poetry than are to be found scattered through the *Cantos of Don Juan*, amidst verses which the author appears to have thrown off with an effort as spontaneous, as that of a tree resigning its leaves to the wind.—But that noble tree will never more bear fruit or blossom! It has been cut down in its strength, and the past is all that remains to us of Byron. We can scarce reconcile ourselves to the idea—scarce think that the voice is silent for ever, which, bursting so often on our ear, was often heard with rapturous admiration, sometimes with regret, but always with the deepest interest.

' All that's bright must fade,  
The brightest still the fleetest !'

" With a strong feeling of awful sorrow, we take leave of the subject. Death creeps upon our most serious as well as upon our most idle employ-

ments; and it is a reflection solemn and gratifying, that he found our Byron in no moment of levity, but contributing his fortune, and hazarding his life, in behalf of a people only endeared to him by their past glories, and as fellow-creatures suffering under the yoke of a heathen oppressor. To have fallen in a crusade for Freedom and Humanity, as in olden times it would have been an atonement for the blackest crimes, may in the present be allowed to expiate greater follies than even exaggerating calumny has propagated against Byron."

Another individual, endowed in very different measure, and who, notwithstanding his exalted place, could not rank as so great a man, paid this year the debt of nature. We have already, under the head of history, recorded the death of Louis XVIII. Though his life was the reverse of eventful, yet as great part of it was passed in a private station, and out of view of the public, some notice of this part may be interesting.

Louis Stanislaus Xavier was grandson to Louis XV., son to the Dauphin, and bore originally the title of Count of Provence. His character was timid and reserved, and he displayed an application to study very unusual in the heir to a throne. He employed himself also a good deal in writing. After the accession of his brother, Louis XVI., he drew up a paper called *Mes Pensées*, containing suggestions as to the mode of administering affairs; but the King, not relishing this interference, said, " Brother, henceforward keep your thoughts to yourself." He wrote also, and had represented under another name, a comedy called "*Marriage Secrets*," the language of which is said to have been coldly elegant, and which had some success: also two operas, reported as bad.

On the approach of the revolution, Louis espoused opinions rather peculiarly liberal for a prince; and the zeal-

ous friends of the monarchy even accused him of a design to supplant his brother, and to obtain the place of regent of the kingdom. After the tide of revolution, however, began to sweep all before it, he followed the example earlier set by the Count d'Artois. He set out from Paris on the 10th of June, the same day that Louis XVI. began a similar but unfortunate journey. Monsieur was happier; and rather through the care of his servant than his own, arrived at Coblenz. Unfortunately he has penned a narrative of this journey, in which there is nothing calculated to uphold his reputation, but the opposite impression must be produced by the exclusive anxiety which, in that awful crisis, he displays for the manner in which his table was to be served. His progress thus too much corresponded to the ludicrous picture of Talleyrand—Harlequin, always afraid, and always hungry. Being soon obliged to leave Coblenz, he sought refuge at Turin; but by the progress of the French arms, and the overawing influence of the republic, he was successively compelled to leave that city, Verona, Venice, and at last even Vienna. An asylum was then afforded at Mittau, where Paul, in the height of his anti-Gallic fervour, afforded him a splendid establishment, with a guard of 200 men; and his levee was crowded by the nobility of Courland. Afterwards, the views of his enlightened protector having shifted to the other side of the political compass, Louis was ordered to leave Russia in seven days. In Prussia he found at first a somewhat dubious protection, but was at length allowed to take up his residence at Warsaw. After the peace of Tilsit, finding no longer any safety on the continent, he repaired to Britain, which afforded his only secure and permanent asylum. From this time till the restoration, he resided at Hartwell, a seat of the Marquis of Buckingham.

It is said that Louis XVIII., notwith-

standing such a long series of trials, never forgot the dignity of his descent, nor lost the hope of re-ascending the throne of his ancestors. When Charles IV. bestowed upon Buonaparte the insignia of the golden fleece, he wrote to him the following letter:

“SIRE AND DEAR COUSIN,

“It is with regret that I return you the insignia of the order of the Golden Fleece, which his Majesty, your father, of glorious memory, confided to me. There can exist nothing in common between me and the great criminal whom audacity and fortune have placed upon my throne, which he has had the barbarity to stain with the pure blood of a Bourbon, the Duke d'Enghien. Religion teaches me to pardon an assassin, but the tyrant of my subjects ought always to be my enemy. Providence, from insupportable motives, may ordain that I shall end my days in exile; but neither my contemporaries nor posterity shall ever, even to my last breath, say, that in the hour of adversity I showed myself unworthy of occupying the throne of my ancestors.”

The King's hopes were, beyond all human expectation, fulfilled; and as he had endured adversity with fortitude, he used with a dignified moderation his prosperous fortune. His career as a king has been very fully before the public; and we shall add nothing on the subject to the few observations already made on occasion of recording his death as an historical event.

The French lamented at this era the death of one of their greatest painters, whom the judgment of many critics placed at the head of their school of art—Girodet Trioson. Our direct means of forming a judgment on his merits being rather imperfect, we collect the following notices from the principal French journals.



Anne Louis Girodet was son to an officer of the legion of honour, but was early left an orphan. Possessing a fortune more than sufficient for the wants of his age, he received from his tutor, M. Trioson, physician to the army, a careful education, but without any special object. He was at his course of philosophy, when, for the first time, he handled the pencil. His first attempt excited the admiration of his companions, and decided his future calling. He had already made some progress when he entered into the school of David, who, from his picture of the Horatii, was already considered as at the head of the French school. His success in the competition of 1789, made him what is called a pensioner in the school of Rome; in consequence of which, it being expected that he should send a painted study, he sent the picture of Endymion. David, justly proud of such a first fruit of his lessons, took pleasure in relating the strange sensation which the first view of this masterpiece had produced upon the professors of the Old Academy, most of whom knew not what to think or to say of a work so different from all that they had been accustomed to execute and to teach.

During ten stormy years of the revolution, the genius of Girodet was displayed only on some fine portraits. It was not till 1802, that the apotheosis of the French heroes came from his pencil. This composition was singular, following the inspiration of the day, but full of warmth; and the drawing was marked at once by an elegance and severity without example. Then appeared successively, in 1806 and 1808, the famous pictures of a "Scene of the Deluge," and "The Burial of Atala," in which last the genius of the great painter, supported by that of the great writer, has left nothing to wish for in regard to composition, any more than execution.

But the memorable year of the glory

of Girodet was that singular decennial competition, in which the champions of painting were seen to appear, and measure their strength like two giants. On one side was David, with his picture of the Sabines; on the other Girodet, with his "Scene of the Deluge." Between such rivals victory might well remain doubtful, and yet the judges pronounced in favour of Girodet. Enemies of this splendid triumph have attempted to prove that it was bestowed by passion; but impartial history, whose hour is now come, will have to remark, that when the Commission of the Institute gave this decision, M. David had not become at all an object of animadversion to that body; while, on the contrary, his rival enjoyed so little favour, that he had not been named a member, though the opportunity had often offered. It is remarkable, that, after so great a *fracas*, and a competition unequalled since the times of Greece, these two pictures returned into the hands of the painters, where they remained for ten years, without any one setting any price on them beyond that of vain admiration. At length, in 1818 and 1819, they entered the king's collection, through the taste and influence of the Count di Pradel.

The other works of this great painter are the pictures of the Surrender of Vienna and the Revolt of Cairo, which appeared in 1808 and 1810. A multitude of portraits, among which may be remarked those of Chateaubriand, of the Defender of Louis XVI., studies of heads, particularly that of "the Virgin," which astonished and delighted the public in 1812; a Galatea, traced with a delicacy and purity worthy the painter of Endymion and Atala. In this last work, however, his hand was already weakened by a first attack of the malady which now places Girodet in the tomb.

In this artist, the powers of the soul had a great empire over his physical

existence. When occupied with any important work, he seemed to be rapt in mind, and the body not to enter at all into the state of his existence; he painted in the night as well, or better, than in the day; he passed weeks and months before his canvass, almost without eating or sleeping. When, having finished his work, he came out of his painting-room, he appeared emaciated, as after a long sickness; but his mind had lost nothing of its vivacity and enthusiasm. The labours of his art did not suffice to the prodigious activity of his fiery spirit. He employed himself also in music and poetry; he had composed a poem on painting, and finished a translation of Anacreon. His character was ardent, his humour impatient of restraint and of all preference. This disposition, indeed, did not prevent him from doing full justice to rival artists, who on their side well appreciated his astonishing talent. With the public in general, his popularity was not equal to his talent. His life could not thus be exempt from many cares; and that fire of imagination, those ardours of genius, which were the means of his glory, could not but contribute to his premature death.

For sixteen years, his constitution, naturally strong, struggled against an impending principle of destruction. At length, a gangrenous affection, which twice at distant intervals had appeared in the lower extremities, made its third attack on the stomach. After six days of increasing pain, it was necessary to submit to a perilous operation, the success of which could only diminish his unheard-of suffering, and retard death by five days. When all was ready for the terrible operation, Girodet had some occasion to go into his painting-room. There the sense of his danger, and the view of the objects which surrounded him, produced on his mind a lively emotion, and in the most affecting

terms, he bid adieu to his art, to his pencils, and to the work which he was about to leave unfinished.

On the first notice of his illness, the curate of La Madeleine had gone to visit him, and it was from the hands of this worthy pastor, that a few days after he received the last sacraments of the church. Witnesses of this sad and pious ceremony declare, that religion never appeared to a dying man under forms at once more mild and more edifying.

The funeral of this great artist was crowded almost beyond example. There were present almost all the artists and pupils of the different schools, the admirers of his genius, the friends of his person; among others, Viscount Chateaubriand, Baron Humboldt, the Count de Forbin, and the members of the administration of the Museum. Garnier, an early rival of the deceased, pronounced his funeral oration, and as the company were about to separate, M. Gros, an eminent living painter, stopped them, and began an improvisatory panegyric on his colleague and friend. He retraced with peculiar feeling the first years of his youth, when "coming with Girodet out of the school of David, he had him for his first friend, his companion in the classic land of the arts, sharing his studies, his pleasures, his dangers, and both cherishing that sacred fire, of which they had brought the fruits into their common country." This address is said to have produced an extraordinary emotion.

It is to the foreign journals, also, that we are indebted for some remarkable particulars respecting a lady of singular accomplishments, the DUCHESS OF DEVONSHIRE, who, in the last part of her life, had made Rome her adopted country. Her maiden name was Elizabeth Hervey, and she was married in the first instance to Mr Fos-

ter, but in 1812 became Duchess of Devonshire. Being left again a widow, she quitted England, and established herself at Rome in 1815. She spent her life there in a continued and splendid patronage of the arts. Her apartments were adorned with pictures of all the living painters of Rome, of whose talents a just and advantageous idea might be there formed. She edited the translation of Virgil, by Annibal Caro, and besides having it splendidly printed, employed the ablest artists of Italy in adorning it with engravings, representing the places described by the Latin poet. She gave similar editions of a translation of Delille's "Passage of St Gothard," addressed to the first Duchess of Devonshire, and of a translation of the Fifth Satire of Horace, describing his journey from Rome to Brundisium. She was projecting a magnificent edition of Dante, executed

in the same style. There<sup>s</sup> was a column in Rome, of which only half was above ground, between the Capitol and the Temple of Jupiter Stator, concerning the origin of which antiquaries had greatly differed in opinion. The Duchess caused the earth to be dug from around this column, when it was discovered to be the one raised in 608 by Smaragdus the Exarch, in honour of the Emperor Phocas. This research threw considerable light upon the general topography of ancient Rome. Her apartments were the resort of all distinguished British travellers, and of all persons from every country distinguished by their rank, their knowledge, and their merit. She is also understood to have bestowed liberally both on public institutions and private charity. She died at Rome, on the 30th of March, 1824, of an inflammatory illness.

## FUGITIVE AND OCCASIONAL PIECES.

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### STANZAS,

BY LORD BYRON.

I HEARD thy fate without a tear,  
 Thy loss with scarce a sigh ;  
 And yet thou wert surpassing dear—  
 Too loved of all to die.—  
 I know not what hath sear'd mine eye ;  
 The tears refuse to start ;  
 But every drop its lids deny  
 Falls dreary on my heart.

Yes—deep and heavy, one by one,  
 They sink and turn to care ;  
 As cavern'd waters wear the stone,  
 Yet dropping harden there—  
 They cannot petrify more fast  
 Than feelings sunk remain,  
 Which, coldly fix'd, regard the past,  
 But never melt again.

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### TO MONS. ALEXANDRE.

OF yore, in Old England, it was not thought good  
 To carry two visages under one hood :  
 What should folk say to you ? who have faces such plenty,  
 That from under one hood you last night show'd us twenty !

Stand forth, arch deceiver ! and tell us in truth,  
 Are you handsome or ugly, in age or in youth ?  
 Man, woman, or child ? or a dog, or a mouse ?  
 Or are you, at once, each live thing in the house ?  
 Each live thing, did I ask ? each dead implement too !  
 A work-shop in your person—saw, chisel, and screw,  
 Above all, are you one individual ? I know  
 You must be, at the least, *Alexandre and Co.*  
 But I think you're a troop—an assemblage—a mob—  
 And that I, as the Sheriff, must take up the job ;  
 And, instead of rehearsing your wonders in verse !  
 Must read you the Riot Act, and bid you disperse !  
WALTER SCOTT.

ABBOTSFORD, 23d April.

## SONNET.

BY THE REV. WILLIAM-LISLE BOWLES.

WHEN last we parted, thou wert young and fair,  
 How beautiful let fond remembrance say !  
 Alas ! since then old Time has stol'n away  
 Full thirty years, leaving my temples bare.  
 So hath it perish'd like a thing of air,  
 The dream of love and youth !—Now both are grey,  
 Yet still remembering that delightful day,  
 Though Time with his cold touch hath blanch'd my hair  
 Though I have suffer'd many years of pain,  
 Since then ; though I did never think to live  
 To hear that voice, or see those eyes again,  
 I can a sad, but cordial greeting give,  
 And for thy welfare breathe as warm a prayer,  
 Lady, as when I loved thee young and fair !

## ON FIRST HEARING CARADORI SING.

BY THE REV. W. L. BOWLES.

MUSE of immortal grace, and heavenly song !  
 No more despairing search the mortal throng,  
 One spirit like thyself, 'mid human kind,  
 With voice as sweet, and looks as fair, to find ;  
 Oh ! listen, and suspend thy parting wings,  
 Listen ! for, hark ! 'tis Caradori sings !—  
 Hear, in the cadence of each thrilling note,  
 Tones, scarce of earth, and sounds seraphic float ;  
 Mark in the radiant smile that lights her face,  
 Mark, in her look, a more than earthly grace,  
 And say, repaid for every labour past,  
 “ Beautiful Spirit ! thou art found at last !”

## TO THE CHASE-FIELD AWAY.

*(From the Annals of Sporting and Fancy Gazette.)*

• “ Hark forward, hark forward, tantivy.”—*Old Song.*

HILLIHO—hilliho ! to the Chase-field away,  
 The sun he is up in his chariot of day,  
 And the dew is his tear, and the light cloud his frown,  
 That you still snore away on your pillow of down :—  
 Hilliho—hilliho ! snatch the coif from your head,  
 And put on the sportsman's gay doublet of red.

Hilliho—hilliho ! the steed neighs in the stall,  
 A challenge as gay as the war-trumpet's call,  
 And the splendour of Spirit, the sinew of fame,  
 Lights up his dark eye, and his nostril of flame ;  
 Hilliho—hilliho !—press his sleek sides and ride  
 Where the glad hearts are met by the bonny brake side.

Hilliho—hilliho !—there are Stuart, and Ray,  
 And Marlow astride on his Kill-devil bay :

And Wyndham, whose goodness all true fellows know,  
At the tail of the fox, or the face of the foe :  
Hilliho—hilliho ! round the covert we wheel,  
The old cap on our brow, the old spur at our heel.

Hilliho—hilliho ! there's a voice on the gale,  
And echo, enamour'd, repeateth the tale ;  
The game it is roused, and the welkin has rung  
With the best of all music, the hound's jovial tongue :  
Hilliho—hilliho ! we compete with the wind,  
And where now is the craven to loiter behind ?

Hilliho—hilliho ! like wild spirits we fly,  
And our track is as bright as a meteor of sky :  
Hark forward ! through valley, o'er hill, clash along,  
Diana herself seems to ride in our throng—  
Hilliho—hilliho ! see our proud coursers bound  
To the horn's lusty scream, and the song of the hound.

Hilliho—hilliho ! the long day it is o'er,  
And our field it is scatter'd, so gallant before ;  
Some fell in the rough brake, some fell in the plain,  
But their fame moults no feather, their badges no stain :  
Hilliho—hilliho ! ay, again they shall ride  
In our race for the brush, at the green covert side !

A. M. TEMPLETON, Jun.

Salisbury, 1824.

## THE MESSENGER BIRD.

[“ Some of the Brazilians pay great veneration to a certain bird that sings mournfully in the night-time. They say it is a messenger which their deceased friends and relations have sent, and that it brings them news from the other world.”—*Picart's Ceremonies and Religious Customs.*]

THOU art come from the Spirit's land, thou bird !  
Thou art come from the Spirit's land !  
Through the dark pine grove let thy voice be heard,  
And tell of the shadowy band !

We know that the bowers are green and fair  
In the light of that distant shore,  
And we know that the friends we have lost are there,  
They are there—and they weep no more.

And we know they have quench'd their fever's thirst  
 From the fountain of youth ere now,  
 For *there* must the stream in its gladness burst,  
 Which none may find below !

And we know that they will not be lured to earth  
 From the land of deathless flowers,  
 By the feast, or dance, or song of mirth,  
 Though their hearts were once with ours.

Though they sat with us by the night-fire's blaze,  
 And bent with us the bow,  
 And heard the tales of our fathers' days,  
 Which are told to others now !

Then tell us, thou bird of the solemn strain !  
 Can those who have loved forget ?  
 We call, and they answer not again—  
 Do they love—do they love us yet ?

Doth the warrior think of his brother *there*,  
 And the father of his child ?  
 And the chief of those that were wont to share  
 His wanderings o'er the wild ?

We call them far through the silent night,  
 And they speak not from cave or hill ;  
 We know, thou bird, that their land is bright,  
 But say, do they love there still ?

## THE MOSS ROSE.

[From the German of KRUMMAGER.]

EREWHILE, in Orient's sunny clime,  
 When earth-born things were yet in prime,  
 Nor guilt the golden bands had riven  
 That link'd in peace the earth to heaven,  
 The angel-sprite, whose bounded powers  
 Are given to tend the tribes of flowers,—  
 Each leaf at eve with balm bedewing,  
 At morn each faded charm renewing,—  
 One noon, on spring's first petals laid,  
 Had couch'd him in a Rose-tree's shade.



Refresh'd, anon he raised his head,  
 And, smiling, to the Rose-tree said,  
 " My loveliest child, my darling Rose !  
 Accept the thanks thy father owes ;—  
 Thanks for thy fragrance, freely shed  
 From ruby cup around my head,—  
 Thanks for thy cool, reviving shade,  
 While slumbering in thy shelter laid !  
 O ask !—whate'er the boon—'tis thine ;  
 The joy to grant the boon be mine."—

" Then o'er my form new beauties shed,"  
 At once the Rose-tree's spirit said :  
 And, lo ! ere scarce the words have birth,  
 From fragrant wreaths slow struggling forth,  
 The loveliest flower with moss is braided,  
 The humblest weed her branches shaded !  
 Yet, Lina ! hadst thou mark'd, when there  
 The lowly weed enrobed the Fair,  
 What nameless charms—what graces new  
 Its chasten'd lustre round her threw,—  
 While, all around, the flowers were seen  
 Do homage to the Rose's Queen,—  
 O ! thou'dst have doff'd that robe of pride,  
 And, simply deck'd, as Nature bade,  
 Scorn'd Fashion's—worse than useless—aid !

## THE SWISS POET.

WHEN the black howling tempest is raging around me,  
 I'll start from the chains which to this world have bound me,  
 With my lyre in my hand, I'll ascend from the vale,  
 With the speed of the chamois, the rude mountain scale,  
 Whose bleak summit, wrapt in a garment of snow,  
 Like a pale banner gleams through the darkness below ;  
 There give me, ye lightnings ! a spark of your fire,  
 'Mid the clouds, I'll awake the wild notes of my lyre.

The bolt whizzes past.—Hark ! the deep-rolling thunder !—  
 The proud oaks are shiver'd, the rocks part asunder,  
 From the far hidden caverns the echoes awake ;  
 On the crag's rugged bosom, like long billows break ;  
 The avalanche, torn from the white peak on high,  
 Bears the forest before it, and swift rushes by ;  
 The rock's broken masses are swept in its trail,  
 Till the crash of its ruin is heard in the vale.

In the clouds which beneath me tumultuously sail,  
 The eagle is clapping her wings to the gale,  
 Screaming, and swelling the blast with her moan ;  
 Destroy'd is her dwelling, her young ones are gone.  
 With her pinions around them, she lay in her nest ;  
 She smiled on the storm, for it lull'd them to rest ;  
 Till the avalanche came, with its earth-shaking force,  
 And swept all she cherish'd away in its course.

Here, as on nature's dread conflict I ponder,  
 My thoughts are raised high, and my heart swells with wonder ;  
 The tempest's dark terrors awake not my fear,  
 For the Great One who rides in the whirlwind is near.  
 As the hill rock beneath, and the clouds fly before thee,  
 Mighty Spirit ! I fall to the earth, and adore thee,  
 Whose voice is the thunder, whose breath is the storm !  
 When he bows at thy throne, what is man, but a worm ?

## SAUL AND JONATHAN.

Fall'n are the mighty—Israel's beauty sleeps,  
 And mourning Judah for her ruler weeps :—  
 Fall'n are the mighty—lost the victor wreath,  
 The King, the Lord's anointed rests in death,  
 The mighty monarch who all Israel sway'd,  
 Whom distant regions honour'd and obey'd.  
 Unhappy fate—unworthy of the brave,  
 Wants the cold honours of a warrior's grave.  
 Relate it not in Askelon or Gath,  
 Lest it excite the Gentile's scornful laugh,  
 Lest the proud daughters of Philistia sing  
 The song of triumph o'er our fallen king.

And thou, oh, Gilboa ! who hast braved sublime  
 The raging tempest and encroaching time,  
 Let no moist dew on thee be thenceforth found,  
 Nor kindly rain refresh the thirsty ground.  
 There lies the shield that Israel's Monarch bore,  
 And there the fields are drench'd with regal gore.  
 Daughters of Israel, rend the hair and weep  
 O'er those who now in cold oblivion sleep :  
 No more to deck you shall the warriors toil  
 With proud Philistia and Amalek's spoil,  
 Swift as the eagle darts upon his prey,  
 Strong as the lion they did urge their way.

Oft where the combat raged with fiercest glow,  
 The son of Saul did twang his deadly bow ;  
 Oft in the taunting foe, by Heav'n abhorr'd,  
 The gallant father sheath'd his crimson sword ;  
 But never will the gallant chiefs again  
 Descend in terrors on the deathful plain.  
 Fall'n is the mighty sire and mightier son,  
 Their race of glory is for ever run.

Oh ! Jonathan, my brother and my friend,  
 My love for thee shall never, never end ;  
 Tender's the love the bridegroom bears the bride,  
 Who but an hour has graced his youthful side ;  
 Strong the affection that a father bears  
 Towards his duteous and his blooming heirs.  
 The mother loves the babe upon her knee,  
 But not, O Jonathan, as I love thee.  
 Oh ! may we see the warm, the friendly glow,  
 Renew'd above, which we began below.

Fall'n are the mighty—lost the victor wreath,  
 For Saul and Jonathan both sleep in death.

A YOUNG SOLDIER.

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### STANZAS.

—Dulces—reminiscitur Argos.

FROM Arthur's towering heights I now survey  
 The kindling prospect that beneath me lies ;—  
 Spread o'er the azure deep, in morning's ray  
 Sails gleam like stars in summer's twilight skies ;  
 Here bright Edina strikes the dazzled eyes,  
 There white flocks graze on many a meadow green ;  
 Brown groves appear, and peaceful villas rise,  
 Majestic Forth displays his glassy sheen,  
 Whilst sea and sun-bright hills enclose the magic scene.

Why wakes that northward gaze the silent tear ?  
 Oh ! melting visions rise upon the view ;  
 Haunts of my early days—my home so dear—  
 My native vale—its circling mountains blue,  
 And have I bid you all a last adieu ?  
 Friends of my youth, shall no revolving year  
 The joys we oft have shared again renew ?  
 No more your soothing accents meet mine ear,  
 Nor, to my longing eyes, your darling forms appear ?

Though girt with countless joys, sweet friendship's smile,  
 And the calm bliss that health and peace convey,  
 'Mid Learning's bowers I linger for a while,  
 Her ardent votary, till the appointed day,  
 Far from the land I love—shall bid me stray—  
 Each joy, each kindred heart doth still remind  
 Of joys, now fled, and friends now far away :  
 Ah! ne'er your parted wand'rer hopes to find  
 So fond congenial hearts as some he left behind.

Ye faithful few, by distance doubly dear,  
 We yet shall meet again, though not below ;  
 There is a land wherein the parting tear,  
 Wrung from the bleeding heart, shall never flow ;  
 There, treasured joys await—there never woe,  
 Pain, nor corroding grief shall reach us more ;  
 Through cheerless scenes though heavenward pilgrims go,  
 Where storms arise, their journey soon is o'er—  
 The Christian's shatter'd bark soon gains a sheltering shore.

## HOB'S EPITAPH.

BY ROBERT BLOOMFIELD.

A GREY owl was I when on earth,  
 My master, a wondrous wise man,  
 Found out my deserts, and my worth,  
 And intended me for an Exciseman

He gave me the range of his house,  
 And a favourite study his shed ;  
 There I rush'd on a straggling mouse,  
 While science rush'd out of my head,

In gauging I still made advances,  
 Like school-boy I grew wiser and wiser,  
 Resolved in the world to take chances,  
 And try to come in supervisor !

But Fate comes—e'en Genius must fail ;  
 One day, as deep musing and blinking,  
 My wig overbalanced my tail,  
 And I found myself stifling and sinking !

Yet I died like mankind, for they quarrel  
 Through life,—yet to Fate they must yield ;  
 The tippler is drown'd in his barrel,  
 The soldier is slain in the field.

Not in debt, not in love, not in strife,  
 Not in honours attendant on war,—  
 In a barrel I gave up my life,  
 But mine was a barrel of tar !

*July, 1810.*

## ODE

### SUR LA MORT DE LOUIS XVIII.\*

Quand la mort imprimoit son sacré caractère  
 Sur le front du grand Roi que soixante ans la terre  
 Vit assis au suprême rang ;  
 Quand la France, en pleurant, se courboit sur sa cendre  
 L'orateur inspiré, debout, faisoit entendre  
 Ces mots : *Chrétiens, Dieu seul est grand ! !*

Oui, les biens d'ici-bas passent comme des ondes ;  
 Sur les trônes en poudre et les débris du mondes,  
 Immuable, Dieu reste seul.  
 Terrible vérité que la mort elle-même,  
 Avec des mots glacés, vient au moment suprême,  
 Nous révéler sous le linceul.

Tout meurt ; mais la vertu, plus belle d'âge en âge,  
 La vertu que Dieu même a fait à son image,  
 Sort triomphante du tombeau ;  
 Tel, déployant au vent ses odorantes ailes,  
 Du sein de son bûcher aux voûtes éternelles  
 Le Phénix s'élance plus beau.

Du Roi que nous pleurons, c'est ainsi que l'histoire  
 A nos derniers neveux transmettant la mémoire,  
 Consacrera le souvenir ;  
 Son nom, comme le cèdre aux immenses ombrages,  
 Qui de ces vents rameaux couvre au loin les rivages,  
 S'agrandira dans l'avenir.

\* L'auteur n'a pas besoin d'indiquer les endroits qu'il a imités de l'admirable improvisation de M. de Chateaubriand sur la mort de Louis XVIII. ; les lecteurs attentifs les reconnoîtront facilement.

Ce nom seul nous sauva ; la victoire inconstante,  
 Qui d'abord dans nos camps avoit placé sa tente,  
 Etoit lasse de nos succès ;  
 Et nous allions périr, quand les destins prospères  
 Du fond de son exil au Louvre de ses pères  
 Ramenèrent ce vieux Français.

Il est seul, sans soldats ; mais pour lui tout conspire ;  
 Dans ses augustes traits, où la bonté respire,  
 La France a reconnu son Roi ;  
 Car devant lui flotloit la bannière sans tache,  
 Où d'antiques lauriers s'unissent au panache  
 Qui triomphoit à Fontenoi.

Aux cœurs vraiment Français que douce est la patrie !  
 Il oublie, en voyant cette France chérie,  
 Ses maux et ses adversités ;  
 Comme un père, il revient armé de la clémence,  
 Et veut qu'avec son règne en même temps commence  
 Le règne de nos libertés.

Du pouvoir légitime, ascendant invincible !  
 L'homme que son épée avoit fait si terrible,  
 Devant qui l'Europe avoit fui,  
 Sur des fronts inconnus qui jetoit des couronnes,  
 A l'aspect de son Roi descend de ses deux trônes  
 Et se retire devant lui.

Quel changement soudain ! Ces sauvages cohortes,  
 Ces soldats étrangers qui veilloient à nos portes  
 Nous délivrent de leurs drapeaux ;  
 Le colosse se brise en sa base d'argile,  
 Et nous pouvons enfin redire avec Virgile :  
 Un Dieu nous a fait ce repos !

Mais tandis que ma muse, en ses jeux poétiques,  
 Redit et les bienfaits et les vertus antiques  
 De ce Roi, le Nestor des rois,  
 Quels lamentables cris et quels accens funèbres  
 De la nuit tout à coup ont troublé les ténèbres,  
 Et se sont mêlés à ma voix !

Le danger de Louis dans Paris se révèle ;  
 Ses habitans, frappés par l'affreuse nouvelle,  
 D'épouvante restent muets.  
 La foule assiégée, en deuil, les royales demeures,  
 Et le vieux Roi mourant à ses dernières heures  
 Semble gardé par ses sujets.

Plus d'espérance ! il meurt ! . . . mais il meurt comme un sage  
Qui de la mort a fait un long apprentissage

Et qui connoit tous ses secrets.

Aux chants du prêtre saint il mêle sa prière,  
Et du linceul qui doit peser sur sa paupière,  
Sans pâlir il voit les apprêts,

Ah ! quand le sceptre échappe à sa main incertaine,  
Si son front est tranquille et son âme sereine,

C'est qu'il nous laisse pour appui

Un Prince compagnon de sa longue misère,

Un Prince digne en tout du trône héréditaire,  
Digne d'y monter après lui.

Français, n'oublions pas quand notre Roi succombe,  
Que notre Roi s'élève à côté de sa tombe ;

Antique et salutaire loi !

Qui près de la douleur vient placer l'espérance,

Et consacre le cri de notre vieille France :

Le Roi n'est plus, vive le Roi !

MELY-JANIN.

## **PART III.—CHRONICLE**





## PART III. CHRONICLE.

### I.—POLITICAL CHRONICLE; OR, RECORD OF PUBLIC DOCUMENTS.

*Amount of the Revenue of the United Kingdom in the year ending 5th January,  
1824.*

Heads of Revenue.	Gross Receipt.	Repayments, Allowances, Discounts, Drawbacks, &c.	Net Receipt.	Charges of Collection.	Rate per Cent for which the Gross Receipt was collected.
ORDINARY REVENUES.	£.	£.	£.	£.	£. s. d.
Customs, . . . . .	13,586,413	1,327,708	12,258,704	1,109,530	8 3 4
Excise, . . . . .	27,568,026	2,325,486	25,242,540	1,102,611	4 0 0
Stamps, . . . . .	6,720,932	223,694	6,497,237	159,520	2 7 6
Taxes under the management of the Commissioners of Taxes, }	6,541,296	6,568	6,534,727	331,516	5 1 4
Post-Office, . . . . .	1,965,465	64,713	1,900,754	473,455	24 1 9
One Shilling in the Pound, and Sixpence in the Pound, on Pen- sions and Salaries, and Four Shillings in the Pound on Pen- sions, }	63,243		63,243	1,554	2 9 2
Hackney-Coaches, and Hawkers, and Pedlars, }	64,593		64,593	10,800	16 14 5
Crown lands, . . . . .	312,336		312,336	44,552	14 5 3
Small Branches of the King's He- reditary Revenue, . . . . .	7,283		7,283	1,370	20 3 11
Lottery, Surplus Produce after payment of Prizes, . . . . .	27,400		27,400	2,000	7 6 0
Surplus Fees of Regulated Pub- lic Offices, . . . . .	39,715		39,718		
Total of Ordinary Revenues,	56,896,713*	3,948,171	52,948,541	3,237,012	.5 13 9

\* Shillings and pence are omitted in the particulars, but their sum included in the total.

IRELAND.	Gross Receipt.	Repayments, Allowances, Discounts, Drawbacks, &c.	Net Receipt.	* Charges of Col- lection.	Rate per Cent for which the Gross Receipt was Collected.
ORDINARY REVENUES.					
	£.	£.	£.	£.	£. s. d.
Customs, . . .	1,918,455	220,164	1,698,290	458,248	23 17 9
Excise, . . .	1,740,960	45,117	1,695,842	236,013	13 10 0
Stamps, . . .	495,441	8,548	486,893	39,014	7 17 6
Taxes, . . .	54,524	1,916	52,607	40,232	73 15 9
Post-Office, . .	188,826	18,078	170,748	95,661	50 13 3
Poundage, Fees, &c.	10,208		10,208		
Total of Ordinary Revenues, }	4,408,416	293,825	4,114,591	868,170	19 3 10

*Net Produce of the Revenue of Customs in the year ending 5th January, 1824.*

Articles.	Great Britain.			Ireland.		
	£.	s.	d.	£.	s.	d.
Almonds, . . .	13,396	12	10	652	4	8
Aloes, . . .	4,069	2	2	468	11	5
Angelica, . . .	1,658	7	6			
Annotto, . . .	1,685	16	2			
Antimony crude, . . .	1,335	6	7	4	1	8
Apples, . . .	5,947	6	2	274	15	1
Argol, . . .	3,308	13	5	18	0	0
Arrow-root, . . .	3,625	17	1	92	9	7
Arsenic, . . .	563	11	6	16	8	3
Ashes, pearl and pot, . . .	26,429	17	9½	3,801	11	9
—, of all other sorts, . . .	0	0	0	555	3	9
Bacon and hams, . . .	843	18	0	0	5	0
Balsams, . . .	3,572	10	8	254	2	4½
Barilla and alkali, . . .	160,777	14	9	9,304	16	2½
Bark, oak, and cork tree, . . .	30,918	17	8½	4,896	14	1
Bark quercitron, . . .	1,629	16	4½	86	16	2
Baskets, . . .	1,723	13	2			
Beer, spruce, . . .	1,572	12	3½			
Books, . . .	14,651	13	7½	542	8	9
Borax, . . .	1,720	4	0	65	4	10
Boxes, pill, . . .	0	0	0	1	18	0
Brimstone, . . .	20,701	5	6	1,565	18	8
Bristles undressed, . . .	24,350	0	5½	937	3	7
Bugle, . . .	3,230	16	5			
Butter, . . .	121,613	7	8½			
Cabinet wares, &c., . . .	1,862	9	10			
Camphire, . . .	1,001	9	6	83	8	11
Canes of all sorts, . . .	2,072	1	3½	563	17	11

Articles.	Great Britain.			Ireland.		
	£.	s.	d.	£.	s.	d.
Cantharides, . . . . .	2,494	1	5	383	19	11
Capers, . . . . .	3,298	14	3	30	15	7
Carpets of Turkey, . . . . .	4,446	15	0	117	15	1
— of other sorts, . . . . .	233	3	3			
Cassia Lignea, . . . . .	3,567	11	3	495	2	2
Cheese, . . . . .	48,464	7	1	6	19	2
* China-ware, earthen-ware, and porcelain, . . . . .	5,309	15	10	* 25	13	6
Cinnamon, . . . . .	1,618	7	1	149	1	6
Clocks, . . . . .	4,246	12	9			
Cloves, . . . . .	5,276	13	4	471	1	0
Cochineal, granilla, and dust, . . . . .	9,048	17	9	11	13	9
Coral beads, . . . . .	2,098	17	4	4	17	11
Copper in bricks and pigs, . . . . .						
Cordage and cables, . . . . .	1,801	17	9	15	6	2
Cork unmanufactured, . . . . .	14,369	18	7			
Corks ready made, . . . . .	873	12	0	1,594	18	4
Corn grain, meal, and flour, . . . . .	10,310	4	3			
Cortex Peruvianus, . . . . .	4,782	8	2	58	15	9
Cranberries, . . . . .	1,174	18	0			
Cream of Tartar, . . . . .	6,272	3	11	346	7	2
Currants, . . . . .	208,048	12	4	2,810	15	4
Dye-woods, Brazilletto, . . . . .	225	2	6			
— Camwood and redwood, . . . . .	169	16	10	17	17	2
— Fustic, . . . . .	4,729	10	4	237	17	2
— Logwood, . . . . .	3,648	0	1	367	13	8
— Nicaragua, . . . . .	1,817	14	0	13	8	0
— Red and bar-wood, . . . . .	442	10	3			
— Red Saunders, . . . . .	75	11	9			
— Eggs, . . . . .	17,319	0	10			
Elephants' teeth, . . . . .	8,616	12	6	117	8	1
Essence of bergamot and lemons, . . . . .	2,650	9	8	19	18	8
Feathers for beds, . . . . .	2,645	18	11			
— Ostrich, . . . . .	12,568	4	2	19	16	1
— of other sorts, . . . . .	217	19	10			
Figs, . . . . .	15,450	7	2	681	4	0
Fish, anchovies, . . . . .	* 3,989	18	10	119	19	2
— Eels, . . . . .	796	16	3			
— Oysters, . . . . .	1,730	13	7			
— of other sorts, . . . . .	61	16	7			
Flax, undressed, . . . . .	12,093	0	4	22	19	0
Flowers, artificial, . . . . .	2,611	6	10			
Furs, . . . . .	19,804	12	7			
Galls, . . . . .	2,000	2	4	60	17	9
Ginger, dry, . . . . .	6,069	14	12	512	12	3
— preserved, . . . . .	592	13	7			
Glass bottles, green or common, . . . . .	8,176	12	6	455	13	0
— of all other sorts, . . . . .	1,045	16	14	65	4	7
Grapes, . . . . .	2,307	19	0			
Gums of all sorts, . . . . .	28,025	3	1	1,252	3	10
Hair, horse, . . . . .	3,347	12	11	7	13	3

Articles.	Great Britain.			Ireland		
	£.	s.	d.	£.	s.	d.
Hair, human, . . . . .	2,032	2	6	19	5	0
— of all other sorts, . . . . .	704	9	1			
Hard woods, Boxwood, . . . . .	1,321	1	8			
— Cedar, . . . . .	3,378	8	2½			
— Ebony, . . . . .	115	15	5			
— Lignumvitæ, . . . . .	389	14	6	11	0	1
— Mahogany, . . . . .	80,681	14	3½	4,741	11	4
— Rosewood, . . . . .	5,503	6	3			
Hats of chip and straw, . . . . .	38,273	9	4	1,871	6	9
Hemp, undressed, . . . . .	247,372	2	7	14,440	2	6½
Hides, raw, . . . . .	44,054	2	6	1,357	11	9
— tanned, . . . . .	5,767	1	2			
Honey, . . . . .	438	18	7			
Hops, . . . . .	147	15	10			
Horns and horn-tips, . . . . .	2,611	7	11½			
Jalap, . . . . .	3,882	14	7	36	19	3
Indigo, . . . . .	46,236	19	10	2,703	18	8
Iron in bars, . . . . .	58,094	3	9	5,127	8	7
— of all other sorts, . . . . .	1,176	1	5	7	11	4
Isinglas, . . . . .	4,657	5	5	248	16	0
Juice of lemons, limes, and oranges, . . . . .	6,192	16	6	297	6	6
Juniper-berries, . . . . .	6,103	3	4	6	4	5
Lace, thread, and silk, . . . . .	8,910	11	8	49	2	7
Lead, black, . . . . .	2	562	4			
Lemons and oranges, . . . . .	98,572	4	4½	1,024	17	7½
Linens, foreign, . . . . .	25,022	1	5½	150	12	2
Liquorice-root, . . . . .	21,079	14	2½	530	13	1
— and powder, . . . . .	174	4	6			
Mace, . . . . .	2,189	10	2	295	9	2
Madder and madder-root, . . . . .	17,058	10	1½	1,620	6	0
Manna, . . . . .	1,141	12	0	334	0	7
Mats of Russia, . . . . .	1,153	16	5½	747	0	8½
— of other sorts, . . . . .	1,018	14	5½			
Molasses, . . . . .	80,385	14	7½	236	11	0
Moss rock, . . . . .	725	19	5			
Mother-of-pearl shells, rough, . . . . .	2,626	2	5	0	4	4
Musical instruments, . . . . .	879	4	1			
Myrrh, . . . . .	977	15	4			
Nutmegs, . . . . .	14,501	10	9	421	17	0
Nuts, Chestnuts, . . . . .	1,250	8	6	18	17	0
— Small, . . . . .	11,150	18	0	121	8	0
— Walnuts, . . . . .	1,910	16	0	139	6	5
— of other sorts, . . . . .	719	11	8½	19	0	0
Oil, Castor, . . . . .	8,603	6	9	1,934	6	5
— Ordinary, . . . . .						
— Chemical and perfumed, of all other sorts, . . . . .	6,986	5	11			
— Olive, of all sorts, . . . . .	50,097	12	9			
— of all sorts, . . . . .	8,831	17	4	211	4	7
— of all sorts, . . . . .	48	12	8			

Articles.	Great Britain.			Ireland.		
	£.	s.	d.	£.	s.	d.
Oil, Train, spermaceti, and blubber, . . . . .	11,129	7	11½	35	14	5
— Turpentine, . . . . .	4	0	8			
— of all other sorts, . . . . .	645	18	9			
Ochre, . . . . .	2,245	7	8			
Olives, . . . . .	792	19	8			
Onions, . . . . .	522	1	9			
Opium, . . . . .	8,946	0	0	562	11	7
Orchal and orchelia, . . . . .	4,839	5	2½			
Paper of all sorts, . . . . .	2,164	0	9	147	7	6
Pearls, . . . . .	1,069	2	5			
Pears, . . . . .	143	13	4			
Pepper, Cayenne, Guinea, and Long-pepper, . . . . .	105	9	11	17,578	18	0
Pictures, . . . . .	6,157	8	0	23	16	0
Piece goods of India, . . . . .	30,581	14	5½	3,182	8	11
Pimento, . . . . .	11,102	19	3	1,114	15	
Pitch, . . . . .	594	16	2½	42	0	
Plums, dried, . . . . .	698	11	9			
Prints and drawings, . . . . .	2,165	18	4			
Prunes, . . . . .	14,446	9	8½	893	8	2
Quicksilver, . . . . .	10,167	7	5	316	11	10
Quills, goose, . . . . .	5,258	9	11	0	7	1
Radix Ipecacuanha, . . . . .	1,014	16	11	16	14	9
Rags for paper, . . . . .	11,021	11	1	155	17	2
Raisins, . . . . .	170,777	0	4	4,133	4	0
Rape and lintseed cakes, . . . . .	1,420	7	7			
Rhubarb, . . . . .	4,317	3	4	18	14	10
Rice, . . . . .	34,515	13	7½	1,545	18	7
Rosin, . . . . .	17	9	8	16	0	9
Safflower, . . . . .	1,789	6	3½			
Saffron, . . . . .	1,372	16	11	236	16	1
Sago, . . . . .	4,075	13	9	78	16	5
Salt, . . . . .				18,520	13	11½
Saltpetre, . . . . .	4,090	17	10½	76	11	0
Sarsaparilla, . . . . .	5,243	8	8	342	15	0
Samony, . . . . .	601	14	8			
Seeds of all sorts, . . . . .	85,542	7	2	8,510	0	3
Senna, . . . . .	5,981	5	8	250	5	0
Shawls and shawl manufacturers of India, . . . . .	4,077	12	8	12	10	
Ship hulls and materials, . . . . .	2,594	7	4	192	1	7
Shumac, . . . . .	6,840	5	11	519	17	5½
Silk, raw and thrown, . . . . .	702,488	14	0½	21,025	1	8
— waste floss, knubs, and husks, . . . . .	9,002	3	0½			
Skins, (not being furs,) . . . . .	37,579	16	0			
Skins and furs, . . . . .				807	4	5
Smalts, . . . . .	14,834	16	0½	1,974	10	7
Snuff, . . . . .				8	8	0
Soap, hard and soft, . . . . .	9,031	0	1	88	2	0
Spirits, Brandy, . . . . .	116,692	11	5	13,993	19	11
— Geneva, . . . . .	8,924	12	8	7,020	15	5
— Rum, . . . . .	139,030	13	6½	11,384	6	5

Articles.	Great Britain.			Ireland.		
	£.	s.	d.	£.	s.	d.
Spirits of all other sorts,	1,799	19	6 $\frac{1}{2}$	336	2	9
Sponge,	3,971	14	0 $\frac{1}{2}$	292	18	9
Stones in marble blocks,	4,506	3	3	254	11	0
Succades,	1,864	14	3	79	18	5
Succus Liquoritiæ,				1,390	15	3
Sugar,	1,022,782	4	1 $\frac{1}{2}$	383,900	17	0 $\frac{1}{2}$
Tallow,	113,472	19	5 $\frac{1}{2}$	7,352	19	1 $\frac{1}{2}$
Tamarinds,	3,398	18	1	138	8	6
Tapioca,	805	0	5	49	5	0
Tar,	13,602	8	3 $\frac{1}{2}$	522	0	9 $\frac{1}{2}$
Teas,				440,139	4	11 $\frac{1}{2}$
Balks and rufers,	2,038	14	4 $\frac{1}{2}$	2	10	11
Battens and batten ends,	105,760	9	3	4,915	12	9 $\frac{1}{2}$
Boards, clap and pipe,	466	19	2 $\frac{1}{2}$	312	9	2
— paling,	450	1	6 $\frac{1}{2}$	9	9	10
— boxwood,						
— of all other sorts,	67	0	2			
Deals and deal ends,	613,964	14	0 $\frac{1}{2}$	63,127	0	1 $\frac{1}{2}$
Ebony,				10	8	
Firewood,	2,867	8	10			
Handspikes,	1,115	15	11 $\frac{1}{2}$			
Lathwood,	29,162	14	2 $\frac{1}{2}$	1,687	17	8 $\frac{1}{2}$
Masts and spars,	20,933	17	1 $\frac{1}{2}$	656	17	7
Oars,	1,401	18	4 $\frac{1}{2}$	46	6	4 $\frac{1}{2}$
Plank oak,	17,518	9	8 $\frac{1}{2}$	66	13	3 $\frac{1}{2}$
Staves,	44,325	14	11 $\frac{1}{2}$			
Tcaks,	2,093	16	9	7,467	8	1 $\frac{1}{2}$
Timber, fir, 8 inches square or upwards,	577,690	9	10 $\frac{1}{2}$	29,709	9	11 $\frac{1}{2}$
— oak, ditto,	15,023	16	3 $\frac{1}{2}$	93	14	11
— of other sorts, ditto,	5,685	9	10 $\frac{1}{2}$	244	18	5
Wainscot logs,	9,322	12	5 $\frac{1}{2}$			
Tobacco,				177,304	9	0
Tortoise-shell,	3,292	17	0	139	4	5
Toys,	4,351	5	8	9	15	3
Turnerick,	3,208	14	3	87	19	11
Turpentine, common,	58,073	12	1 $\frac{1}{2}$	3,270	4	8
Valonia,	7,667	10	2 $\frac{1}{2}$	2,368	3	7 $\frac{1}{2}$
Verdigris,	2,428	11	8			
Vermicella and Macaroni,	2,220	0	7	96	0	6
Vermilion,	1,216	8	4	60	11	8
Vinegar,	168	7	3 $\frac{1}{2}$	924	16	5
Wax, bees',	12,614	16	3 $\frac{1}{2}$	811	8	10
Whale-fins,	2,350	16	7 $\frac{1}{2}$	2	13	6
Wines of all sorts,	862,424	13	4 $\frac{1}{2}$	180,764	16	11 $\frac{1}{2}$
Wool, cotton,	320,365	2	9 $\frac{1}{2}$	7,335	16	2
— sheep and lambs',	457,729	8	4	56	6	0
Yarn, cotton,	4,074	8	8			
— linen, raw,	2,750	10	10 $\frac{1}{2}$			
— of hair or camels',	2,929	13	5			
Yellow gutta,	2,775	1	10	119	12	0

Articles.	Great Britain.			Ireland.		
	£.	s.	d.	£.	s.	d.
Zaffer and cobalt, . . . . .	2,785	18	5			
All other merchandize, . . . . .	70,276	9	0 $\frac{1}{4}$	5,245	13	7 $\frac{1}{2}$
<i>Duties transferred to the Excise.</i>						
Coffee, . . . . .				12,298	11	6
Irish goods imported, (countervailing duties) thereon, per Act 39, and 40, Geo. 3. c. 67. }	120	1	4 $\frac{3}{4}$			
Tonnage of shipping inwards (arrears,) . . . . .				1	0	6
Tonnage duty on French packets, . . . . .	2,068	4	1 $\frac{1}{2}$			
Total duties inwards, . . . . .	10,854,768	2	1 $\frac{1}{2}$	1,526,152	4	7
British coal and culm exported, . . . . .	42,718	9	4 $\frac{3}{4}$			
Foreign linens exported, . . . . .	242	6	11			
For centage duty on British goods exported, . . . . .	70,044	12	9 $\frac{1}{2}$			
Tonnage of shipping outwards, . . . . .						
Tonnage Duty on French packets, . . . . .	74	17	10			
Total duties outward, . . . . .	113,038	6	9 $\frac{1}{2}$			
Coals and culm coastways, . . . . .	1,069,947	13	10 $\frac{1}{4}$			
Slates and stones, ditto, . . . . .	46,738	15	7 $\frac{1}{2}$			
Total duties coastways, . . . . .	1,176,186	11	6 $\frac{1}{2}$			
Ditto, inwards, . . . . .	10,854,768	2	2 $\frac{1}{2}$			
Ditto, outwards, . . . . .	113,038	6	9 $\frac{1}{2}$			
	12,084,493	0	5 $\frac{1}{2}$			



*British Goods imported into Ireland.*

Articles.	Ireland.		
	£.	s.	d.
Apparel,	2,230	17	10
Beer and ale,			
Blankets and blanketing,	236	3	11
Books, maps, and prints,	1,019	5	4
Brass, wrought,	617	6	5
Cabinet and upholstery,	113	7	10½
Carpets and carpeting,	648	8	10
Coaches, and coach-maker's work,	172	2	3
Coals,	54,378	1	9½
Cotton goods, calicoes,	538	10	11
— muslins,	360	2	11½
— stockings,	1,074	19	6½
— all other sorts,	2,778	17	8
Drapery, new,	6,474	6	7½
— old,	23,765	15	8
Earthenware,	3,521	6	1
Glass bottles,	647	1	10
— other sorts,	2,456	13	1
Haberdashery and millinery,	4,773	14	2½
Hats,	2,441	1	11
Hides and skins,	543	12	4
Hops,	765	18	9
Malt,			
Paper,	1,124	13	3
Plate, wrought,	358	11	6
Saddlery, and other manufactured leather,	450	6	2½
Salt, rock, }			
— white, }	38,058	17	1
Silk ribbons, and stuffs of silk only,	13,117	19	9
Stockings, fringes, lace, stitching and sewing silk,	1,462	9	7
Stuffs of silk mixed with incl or cotton,	904	2	7
Stuffs of silk and worsted mixed,	1,885	4	4½
Stockings, woollen and worsted,	396	8	1½
Sugar, refined,	798	5	2
Tin plates, wrought iron, and hardware,	12,795	7	0
Other articles,	3,815	7	11½
Tonnage of shipping inwards,			
Total British goods inwards,	183,453	0	6½
British goods exported, coals,	220	8	5
Percentage duties on British goods exported,	39	14	10½
Percentage duties on Irish goods exported,	1,912	14	11½
Total duties outwards,	2,165	18	3
Duties inwards, foreign and colonial goods brought forward,	1,526	152	7 0½
Duties inwards, British goods,	183,453	0	6½
Total Irish duties inwards,	1,709,605	7	6½
Duties outwards,	2,165	18	3

*Net Produce of the Revenue of Excise in Great Britain, in the year ended 5th January, 1824.*

Articles.	England.			Scotland.			Total.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Auctions, . . . . .	218,697	9	2½	14,422	13	7½	233,120	2	9¾
Beer, . . . . .	3,199,677	4	9½	80,411	6	0	3,280,088	10	9½
Bricks and tiles, . . . . .	395,096	6	11½	7,429	13	2	402,526	0	1½
Candles, . . . . .	417,757	7	5	19,160	17	11½	436,918	5	4¾
Cocoa nuts and coffee, . . . . .	406,873	7	6¾	19,514	3	0	426,387	10	6¾
Cyder and perry, . . . . .	44,793	15	4½	74	3	11	44,867	19	31
Glass, . . . . .	477,715	13	0	69,239	12	1	546,955	5	1¼
Hides and skins, . . . . .	327,723	9	5½	32,075	14	7¾	359,799	4	1
Hops, . . . . .	30,084	16	1½				30,084	16	1½
Licences, . . . . .	619,880	6	1	95,269	2	7½	715,149	8	8½
Malt, . . . . .	3,021,745	18	9	144,074	11	6½	3,165,820	10	3½
Paper, . . . . .	510,697	1	10½	64,299	19	5	574,997	1	3½
Pepper, . . . . .	151,776	3	6½	1,170	6	3	153,216	9	9½
Printed Goods, . . . . .	495,807	12	3½	169,168	19	9½	664,976	12	0¾
Salt, . . . . .	368,852	11	6½	12,473	1	4½	381,325	12	10¾
Soap, . . . . .	1,040,738	1	6½	117,025	11	0½	1,157,763	12	6½
Spirits, { British,	2,218,657	17	9	536,654	17	8	2,755,312	15	5
{ Foreign,	1,556,649	9	8½	62,141	13	10	1,618,791	3	6
Starch, . . . . .	68,120	9	2½	2,923	8	0½	71,043	17	3
Stone bottles, . . . . .	3,156	9	9½	1	17	0	3,158	6	9¾
Sweets and mead, . . . . .	10,305	11	10½	98	14	0	10,404	5	10¾
Tea, . . . . .	3,410,404	19	8	2	16	6	3,410,407	16	2
Tobacco and Snuff, . . . . .	1,677,374	18	3½	245,799	14	0½	1,923,154	12	3¾
Vinegar, . . . . .	46,751	6	2½	1,043	3	8	47,794	9	10½
Wine, . . . . .	1,001,688	2	3½	67,440	17	0½	1,069,128	19	3½
Wire, . . . . .	8,207	14	5½				8,207	14	5½
<b>Total Consolidated Duties,</b>	<b>21,729,234</b>	<b>4</b>	<b>7</b>	<b>1,762,216</b>	<b>18</b>	<b>2</b>	<b>23,491,451</b>	<b>2</b>	<b>9</b>
Spirits Foreign, {	129,973	6	1½	2,972	1	10½	132,945	8	0½
51 Geo. 3. c. 59. }									
<b>Annual Duties.</b>									
Tobacco and Snuff, com- } menced 5th July, }	568,948	2	9½	81,301	5	8½	650,249	8	6½
Spirits, Foreign, do. . . . .	742,595	6	6	31,993	0	2½	774,588	6	8½
Brandy, &c. do. . . . .	167,425	5	7	5,154	1	5	172,579	7	0
Sweets, do. . . . .	1,682	14	7	16	0	0	1,699	3	7
<b>Total Annual Duties,*</b>	<b>1,480,651</b>	<b>9</b>	<b>5½</b>	<b>118,464</b>	<b>16</b>	<b>4½</b>	<b>1,599,116</b>	<b>5</b>	<b>8½</b>
Fines and { George 3d, Forfeitures, { George 4th,				68	16	8	68	16	8
				18,958	17	7½	18,958	17	7½
<b>Total Fines and Forfeitures,</b>	<b>*</b>			<b>19,027</b>	<b>14</b>	<b>3½</b>	<b>19,027</b>	<b>14</b>	<b>3½</b>
<b>Totals Collected.</b>									
Consolidated Duties . . . . .	21,729,234	4	7	1,762,216	18	2	23,491,451	2	9
51 Geo. 3. c. 59. . . . .	129,973	6	1	2,972	1	10½	132,945	8	0
Annual Duties, . . . . .	1,480,651	9	5	118,464	16	4½	1,599,116	5	8
Fines and Forfeitures, . . . . .				19,027	14	3½	19,027	14	3½
<b>Grand Total, . . . . .</b>	<b>23,339,859</b>	<b>0</b>	<b>2</b>	<b>1,902,681</b>	<b>10</b>	<b>8½</b>	<b>25,242,540</b>	<b>10</b>	<b>10½</b>

*Net Produce of the Revenue of the Taxes in Great Britain, in the year ending 5th January, 1824.*

Heads of Duty.	England.			Scotland.			Total.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Land Tax on Lands and Tenements, . . . .	1,170,320	5	7½	33,743	13	7	1,204,063	19	2½
<b>ASSESSED TAXES.</b>									
<i>(Schedule.)</i>									
A. Windows, . . . .	1,919,685	5	0	148,411	10	0	2,068,096	15	0
B. Inhabited Houses, . . . .	1,178,049	9	11½	86,005	10	11	1,264,055	0	10½
C. Servants, . . . .	409,595	9	0	45,028	18	10	454,624	7	10
D. Carriages, . . . .	415,767	0	0	30,932	11	10	446,699	11	10
E. Horses for Riding, . . . .	495,305	9	0	31,892	3	7	527,197	12	7
F. Other Horses and Mules, . . . .	96,762	16	0	9,730	4	1	106,493	0	1
G. Dogs, . . . .	155,384	12	0	16,251	16	7	171,636	8	7
H. Horse Dealers, . . . .	11,179	0	0	1,499	15	4	12,678	15	4
I. Hair Powder, . . . .	26,270	0	0	1,211	10	0	27,481	10	0
K. Armorial Bearings, . . . .	41,317	3	0	2,703	6	0	44,020	9	0
L. Game Duties, . . . .	127,171	0	0	12,503	8	0	139,674	8	0
Composition Duty, . . . .	38,659	14	0	1,010	4	0	39,669	18	0
Penalties on Arrears levied by the Barons of the Ex- chequer in Scotland, }				598	14	3	598	14	3
Property Duty, . . . .	25,973	4	7	1,763	7	6	27,736	12	1
Aid and Contribution Duty, Income Duty, . . . .									
<b>Grand Total,</b>	<b>6,111,440</b>	<b>8</b>	<b>1</b>	<b>423,286</b>	<b>14</b>	<b>0</b>	<b>6,534,727</b>	<b>2</b>	<b>7½</b>

*Net Produce of the Revenue of Stamps in Great Britain, for year ending 5th January, 1824.*

	England.			Scotland.			Great Britain.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Deeds, law proceedings, and other written instruments, (except legacy receipts, probates, administrations, and testamentary inventories, bills of exchange, and promissory notes and receipts,) and licences to dealers in thread-lace,	1,839,884	8	11	177,805	12	10	2,017,690	1	9
Legacies,	929,002	7	6	50,359	19	2	979,362	6	8
Probates, administrations, and testamentary inventories,	739,808	7	6	37,005	10	0	776,813	17	6
Bills of exchange, and promissory notes,	578,182	15	6½	99,281	15	7	677,464	11	1½
Receipts,	171,410	13	10½	16,354	11	3	187,765	5	1½
Newspapers,	315,492	7	8	16,735	16	4	332,228	4	0
Almanacks,	29,013	1	3	54	13	9	29,067	15	0
Medicine and medicine-licences,	34,375	9	4	208	8	9	34,583	18	1
Fire-insurances,	584,443	13	0	23,603	15	11	608,047	8	11
Cards,	21,683	15	0	0	0	0	21,683	15	0
Gold and silver plate,	72,303	19	2	4,530	2	6½	76,834	1	8½
Dice,	1,309	0	0	0	0	0	1,309	0	0
Pamphlets,	757	15	7	37	19	0	795	14	7
Advertisements,	125,475	5	7	16,020	11	0	141,495	16	7
Stage-coaches,	325,988	0	3	19,834	19	10½	345,823	0	1½
Post-horses,	261,873	0	0	0	0	0	261,873	0	0
Race-horses,	1,301	8	7	135	16	0	1,437	4	7
Lottery,	2,962	9	8	0	0	0	2,962	9	8
	6,035,267	18	5	461,969	12	0	6,497,237	10	5

## COMMERCIAL TABLES.

*Value of Imports into Great Britain from all parts (except Ireland,) calculated at the official rates of Valuation, for the year ending 5th January, 1824.*

Articles.				Articles.			
Almonds of all sorts,	£11,192	1	9	Juniper-berries,	£24,183	0	5
Annotto,	7,381	17	0	Lemons and oranges,	57,589	15	0
Ashes, pearl and pot,	380,004	12	8	Linens,	21,039	6	5
Barilla and Alkali,	202,630	4	10	Liquorice-juice, or Suc-	} 34,999	0	2
Bark, oak, and cork-tree,	218,140	11	5	cus Liquoritiæ,			
— Quercitron,	5,176	2	1	Mace,	2,983	2	6
Borax,	81,161	18	6	Madder and madder-	} 175,053	6	2
Brimstone,	75,427	1	3	roots,			
Bristles, undressed,	32,051	19	6	Molasses,	126,341	19	5
Butter,	168,900	11	6	Nutmegs,	2,991	12	0
Camphire,	4,989	0	3	Oil, Castor,	10,689	0	9
Cassia Lignea,	20,779	19	0	— of olives,	114,808	12	6
Cheese,	118,535	12	4	— Palm,	66,193	9	0
Cinnamon,	180,159	16	0	— Train and blubber,	541,637	7	1
Cloves,	50,035	7	6	Pepper,	100,213	14	4
Cochineal and granilla,	315,615	2	0	Piece goods of India,	441,251	8	0
Cocoa,	32,019	4	0	Pimento,	63,326	11	9
Coffee,	2,751,861	9	3	Pitch and tar,	122,091	10	2
Copper, unwrought,	} 160,185	13	7	Quicksilver,	78	12	0
in bricks and pigs,				Rags for paper,	32,756	8	4
Cork,	33,726	18	3	Raisins,	136,493	10	5
Corn grain, meal, and	} 41,000	5	3	Rhubarb,	38,388	2	6
flour,				Rice,	91,085	2	6
Cortex Peruvianus,	10,862	8	1	Saltpetre,	98,176	3	1
Currants,	103,411	3	1	Seeds, clover,	18,082	14	5
Dyewoods, Fustic,	45,832	16	5	— Flax or lintseed,	169,605	16	10
— Logwood,	175,098	17	1	— Rape,	16,992	4	5
Elephants' teeth,	19,568	11	4	Shumac,	30,977	9	2
Figs,	9,451	10	3	Silk, raw,	1,067,265	0	4
Fish, cod, &c. of New-	} 15,134	3	3	— Thrown,	431,569	19	0
foundland,				Skins and furs,	269,838	11	5
Flax, undressed,	1,082,553	17	10	Smalts,	9,950	16	2
Gum Avimi and Copal,	26,667	5	0	Spelter,	256,831	14	10
— Arabic,	41,164	3	1	Spirits, foreign, brandy,	349,613	12	8
— Lac of all sorts,	34,125	1	0	— Geneva,	19,367	2	9
— Senegal,	6,722	7	7	— Rum,	428,298	3	8
Hardwood, mahogany,	115,744	10	11	Suga raw,	5,477,419	6	2
Hemp, undressed,	542,845	1	1	Tallow,	849,549	15	9
Hides, raw and tanned,	675,328	4	5	Tea,	2,904,688	14	0
Jalap,	5,853	10	0	Timber, deals, and	} 59,912	3	9
Indigo,	957,908	10	8	deal ends,			
Iron, in Bars,	131,272	3	7	— Masts and spars,	94,743	18	9
Isinglas,	21,187	12	11	— Staves,	45,101	8	4

<i>Articles.</i>				<i>Articles.</i>			
Timber, Fir, . . .	£376,777	11	10	Wines, . . .	£748,150	16	11
— and oak plank, . . .	32,682	7	0	Wool, cotton, . . .	6,241,561	1	8
— of other sorts, . . .	62,986	13	5	— sheep's, . . .	678,523	17	1
Tobacco, . . .	328,321	12	3	Yarn, linen, raw, . . .	317,242	9	1
Turpentine, common, . . .	141,520	19	7	All other articles, . . .	1,393,232	5	3
Wax, bees', . . .	33,713	5	3				
Whalefins, . . .	153,140	9	1	Total, . . .	£34,544,245	11	0

*Official value of Goods exported to all parts except Ireland.*

# 1.—PRODUCE AND MANUFACTURES OF THE UNITED KINGDOM.

<i>Articles.</i>				<i>Articles.</i>			
Alum, . . .	£7,585	1	8	Leather, wrought and unwrought, . . .	£126,979	16	6
Bacon and hams, . . .	28,838	9	10	— saddlery and harness, . . .	88,230	7	6
Bark, British oak, for tanners, . . .	569	4	0	Linen manufactures, . . .	2,654,098	3	1
Beef and pork, salted, . . .	97,534	7	6	Molasses, . . .	223	18	1
Beer and ale, . . .	65,956	16	4	Musical instruments, . . .	48,408	11	0
Brass and copper manufactures, . . .	557,914	4	2	Oil, train, of Green-land fishery, . . .	29,564	8	1
* Bread and biscuit, . . .	57,701	12	3	Plate, plated ware, jewellery, & watches, . . .	203,806	14	5
Butter and cheese, . . .	64,877	1	2	Salt, . . .	269,392	12	6
Cabinet and upholstery wares, . . .	71,187	0	0	Saltpetre, British refined, . . .	75,431	19	2
Coals and culm, . . .	216,683	17	10	Seeds of all sorts, . . .	7,401	1	8
Cordage, . . .	74,002	4	10	Silk manufactures, . . .	140,320	15	4
Corn grain, meal, and flour, . . .	29,573	5	2	Soap and candles, . . .	167,523	15	2
Cotton manufactures, . . .	24,117,548	18	9	Stationery of all sorts, . . .	150,916	5	7
— yarn, . . .	2,425,418	19	6	Sugar, refined, . . .	1,125,786	19	6
Earthenware of all sorts, . . .	92,003	13	8	Tin, unwrought, . . .	94,659	8	3
Fish of all sorts, . . .	262,273	14	2	— and pewter wares . . .	229,128	11	9
Glass of all sorts, . . .	143,822	8	1	and tin plates, . . .			
Haberdashery and millinery, . . .	21,226	14	0	Tobacco, British manufactured, . . .	1,058	6	2
Hardware and cutlery, . . .	527,227	6	6	Whalebone, . . .	15,227	7	3
Hats, beaver and felt, . . .	205,320	15	3	Woollen manufactures, . . .	5,537,415	13	11
— of all other sorts, . . .	13,179	1	6	All other articles, . . .	1,755,540	9	9
Hops, . . .	21,557	9	3				
Iron & steel, wrought and unwrought, . . .	1,203,872	9	0	Total, . . .	£43,144,466	1	6
Lead and shot, . . .	117,446	12	10				

## II.—FOREIGN AND COLONIAL MERCHANDISE.

Articles.			Articles.		
Annotto, . . .	£2,317	17 6	Oil of olives, . . .	£39,207	13 1
Ashes, pearl and pot, . . .	13,699	18 6	— train, . . .	8,417	10 9
Barilla and Alkali, . . .	823	8 4	Pepper, . . .	279,553	13 8
Cassia Lignea, . . .	26,055	6 0	Piece goods of India, . . .	1,029,891.	9 11
Cinnamon, . . .	104,588	15 0	Pimento, . . .	53,826	11 8
Cloves, . . .	28,909	2 6	Raisins, . . .	4,977	12 11
Cochineal and granilla, . . .	62,256	7 6	Rice, . . .	78,596	1 1
Cocoa, . . .	26,792	5 1	Saltpetre, rough, . . .	69,610	19 5
Coffee, . . .	1,871,042	3 6	Silk, raw and thrown, . . .	13,800	17 0
Copper, unwrought, in } bricks and pigs, . . .	128,882	8 1	Skins and furs, . . .	32,824	8 0
Corn grain, meal, and } flour, . . .	257,957	12 6	Spelter, . . .	248,397	12 8
Cortex Peruvianus, . . .	7,519	7 0	Spirits, brandy, . . .	171,969	10 5
Currants, . . .	15,238	8 7	— Geneva, . . .	60,489	6 0
Dye-woods, fustic, . . .	2,353	15 1	— Rum, . . .	551,466	17 0
— logwood, . . .	121,144	5 10	Sugar, raw, . . .	728,183	16 11
Fish, cod, &c. of New- } foundland, . . .	14,886	5 0	Tea, . . .	74,991	18 0
Flax, rough, . . .	21,007	9 8	Tobacco, . . .	194,331	5 7
Hemp, rough, . . .	9,221	6 2	Wines, . . .	148,885	9 6
Hides, raw and tanned, . . .	71,072	3 0	Wool, cotton, . . .	707,311	18 10
Indigo, . . .	533,771	8 8	All other articles, . . .	661,251	11 4
Iron in bars, . . .	37,823	9 0			
Linens, foreign, . . .	2,586	5 9	Total, . . .	£4,588,995	18 0
Mace, . . .	33,429	11 0	British produce as { above, . . .	43,144,466	1 6
Nutmegs, . . .	32,197	15 0		£51,733,461	19 6

*Value of Imports into Ireland from all parts of the World, calculated at the official Rates of valuation in the year ending 5th January, 1824.*

Articles.			Articles.		
Ashes, Barilla, pearl } and pot, . . .	£174,674	11 6½	Groceries, sugar, loaf, . . .	£239,916	9 2½
Bark, oak, . . .	54,420	8 9½	— Mus- covado, . . .	645,843	3 0
Blankets, . . .	11,196	5 6½	— Tea, . . .	322,729	9 7
Carpets and carpeting, . . .	13,088	7 11½	Haberdashery, all kinds } of, . . .	93,474	5 11
Coals, . . .	466,436	1 6	Hats, . . .	45,210	9 2½
Cottons, plain and co- } loured, . . .	119,420	15 9	Hemp, undrest, . . .	24,312	19 8
Drapery, new, . . .	108,679	16 0	Hides, tanned and un- } tanned, . . .	68,075	10 1½
— old, . . .	621,974	5 8½	Hops, . . .	48,205	17 0½
Earthenware, . . .	49,079	11 9½	Hosiery, cotton stockings, . . .	49,906	13 2½
Fish, herrings, . . .	92,523	6 1	Iron, unwrought, . . .	26,768	12 10½
Flax seed, . . .	135,454	14 6	Iron and hardware, . . .	220,692	1 8
— undrest, . . .	1,789	16 11			

Salt, . . . . .	L.46,469	9	0	Wood, staves, . . . . .	L.6,386	1	5
Silk, organzine, . . . . .	26,044	12	4	—, timber, . . . . .	86,039	14	3½
Spirits, foreign, . . . . .	6,012	18	5	Wool, cotton, . . . . .	157,414	13	8
Tallow, . . . . .	68,015	16	5½	Yarn, cotton, and cot-	132,536	7	1
Tobacco, . . . . .	121,295	11	8½	ton twist, . . . . .			
Watches, and watch-	12,056	17	6	Other merchandize, . . . . .	1,464,232	4	3½
movements, . . . . .							
Wine, . . . . .	61,758	16	11½	Total, . . . . .	L.6,020,975	3	8
Wood, deals, . . . . .	16,347	6	10½				

*Value of the Produce and Manufactures of the United Kingdom, exported from Ireland to all parts of the World, as computed at the average Prices current in the year ending 5th January, 1824.*

Articles.							
Bacon, . . . . .	L.650,436	18	11½	Linen, plain, . . . . .	L.2,869,871	14	3
Beef, . . . . .	196,947	8	4	—, coloured, . . . . .	4,293	11	7
Bread, . . . . .	12,550	1	1½	Linen and cotton, . . . . .	1,890	10	6
Bullocks and Cows, . . . . .	291,179	8	0	mixed manufac-			
Butter, . . . . .	1,922,906	11	3½	ture, . . . . .			
Candles, . . . . .	24,962	0	2½	Meal, flour, . . . . .	324,434	7	3½
Copper ore, . . . . .	25,911	0	10	—, oat, . . . . .	63,018	10	6½
Corn, barley, . . . . .	23,972	13	0	Pork, . . . . .	302,617	4	4½
—, oats, . . . . .	909,966	15	1	Rape seed, . . . . .	6,069	2	1
—, wheat, . . . . .	552,745	9	4	Sheep, . . . . .	58,138	10	0
Cotton goods, . . . . .	204,648	0	10½	Skins, calf, . . . . .	11,638	0	0
Drapery, new, . . . . .	13,885	12	0	Soap, . . . . .	8,804	17	7½
—, old, . . . . .	71,347	4	0	Spirits, Irish, . . . . .	109,104	10	7½
Earthenware, . . . . .	1,981	13	9	Tallow, . . . . .	2,340	6	9
Feathers, . . . . .	75,285	11	6½	Tongues, neat's, . . . . .	3,702	3	8½
Fish, herrings, . . . . .	4,586	19	4	Wool, sheep's, . . . . .	65,073	14	7
Flax, drest and undrest, . . . . .	115,729	0	0½	Yarn, cotton, . . . . .	5,435	12	4
Glass, . . . . .	10,354	0	11	—, linen, . . . . .	24,981	7	2½
Hides, untanned, . . . . .	45,505	7	0	—, worsted, . . . . .	442	7	8½
Hogs, . . . . .	133,848	13	8	Other merchandize, . . . . .	475,418	10	6
Hogs-lard, . . . . .	59,315	13	1½				
Kelp, . . . . .	11,529	17	6	Total, . . . . .	L.9,695,971	1	7½



## CORRESPONDENCE WITH FRANCE AND SPAIN ON THE SUBJECT OF SOUTH AMERICA.

### No. I.

EXTRACT OF A MEMORANDUM OF A CONFERENCE BETWEEN THE PRINCE DE POLIGNAC AND MR CANNING, HELD OCT. 9, 1823.

THE Prince de Polignac having announced to Mr Canning, that his Excellency was now prepared to enter with Mr Canning into a frank explanation of the views of his government respecting the question of Spanish America, in return for a similar communication which Mr Canning had previously offered to make to the Prince de Polignac, on the part of the British Cabinet, Mr Canning stated :—

That the British Cabinet had no disguise or reservation on that subject: that their opinions and intentions were substantially the same as were announced to the French government, by the Dispatch of Mr Canning to Sir Charles Stuart, of the 31st of March; which Dispatch that Ambassador communicated to M. de Chateaubriand, and which had since been published to the world.

That the near approach of a crisis, in which the affairs of Spanish America must naturally occupy a great share of the attention of both Powers, made it desirable that there should be no misunderstanding between them on any part of a subject so important.

That the British government were of opinion, that any attempt to bring Spanish America again under its ancient submission to Spain, must be utterly hopeless; that all negotiation for that purpose would be unsuccessful; and that the prolongation or renewal of war for the same object would be only a waste of human life, and an infliction of calamity on both parties, to no end.

That the British government would, however, not only abstain from interposing any obstacle, on their part, to any attempt at negotiation which Spain might think proper to make, but would aid and countenance such negotiation, provided it were founded upon a basis which appeared to them to be practicable; and that they would, in any case, remain strictly neutral in a war between Spain and the Colonies, if war should be unhappily prolonged.

But that the junction of any foreign Power, in an enterprise of Spain against the Colonies, would be viewed by them as constituting an entirely new question; and one upon which they must take such decision as the interests of Great Britain might require.

That the British government absolutely disclaimed, not only any desire of appropriating to itself any portion of the Spanish Colonies, but any

intention of forming any political connexion with them, beyond that of amity and commercial intercourse.

That in those respects, so far from seeking an exclusive preference for British subjects over those of foreign states, England was prepared, and would be contented, to see the mother country (by virtue of an amicable arrangement) in possession of that preference; and to be ranked, after her, equally with others, on the footing of the most favoured nation.

That, completely convinced that the ancient system of the Colonies could not be restored, the British government could not enter into any stipulation, binding itself either to refuse or to delay its recognition of their independence.

That the British government had no desire to precipitate that recognition, so long as there was any reasonable chance of an accommodation with the mother country, by which such a recognition might come first from Spain.

But that it could not wait indefinitely for that result; that it could not consent to make its recognition of the New States dependent upon that of Spain; and that it would consider any foreign interference, by force or by menace, in the dispute between Spain and the Colonies, as a motive for recognizing the latter without delay.

That the mission of Consuls to the several provinces of Spanish America, was no new measure on the part of this country; that it was one which had, on the contrary, been delayed perhaps too long, (in consideration of the state of Spain,) after having been announced to the Spanish government in the month of December last, as settled; and even after a list had been furnished to that government of the places to which such appointments were intended to be made.

That such appointments were abso-

lutely necessary for the protection of British trade in those countries.

That the old pretension of Spain to interdict all trade with those countries, was, in the opinion of the British government, altogether obsolete; but that, even if attempted to be enforced against others, it was, with regard to Great Britain, clearly inapplicable.

That permission to trade with the Spanish Colonies had been conceded to Great Britain in the year 1810, when the mediation of Great Britain between Spain and her Colonies was asked by Spain, and granted by Great Britain; that this mediation, indeed, was not afterwards employed, because Spain changed her counsel; but that it was not, therefore, practicable for Great Britain to withdraw commercial capital once embarked in Spanish America, and to desist from commercial intercourse once established.

That it had been ever since distinctly understood that the trade was open to British subjects, and that the ancient coast laws of Spain were, so far as regarded them at least, tacitly repealed.

That in virtue of this understanding, redress had been demanded of Spain in 1822, for (among other grievances) seizures of vessels for alleged infringements of those laws; which redress the Spanish government bound itself by a convention (now in course of execution) to afford.

That Great Britain, however, had no desire to set up any separate right to the free enjoyment of this trade; that she considered the force of circumstances, and the irreversible progress of events, to have already determined the question of the existence of that freedom for all the world; but that, for herself, she claimed, and would continue to use it; and should any attempt be made to dispute that claim, and to renew the obsolete inter-

diction, such attempt might be best cut short by a speedy and unqualified recognition of the independence of the Spanish American states.

That, with these general opinions, and these peculiar claims, England could not go into a joint deliberation upon the subject of Spanish America, upon an equal footing with other Powers, whose opinions were less formed upon that question, and whose interests were less implicated in the decision of it.

That she thought it fair, therefore, to explain beforehand, to what degree her mind was made up, and her determination taken.

The Prince de Polignac declared,

That his government believed it to be utterly hopeless to reduce Spanish America to the state of its former relation to Spain.

That France disclaimed, on her part, any intention or desire to avail herself of the present state of the Colonies, or of the present situation of France towards Spain, to appropriate to herself any part of the Spanish possessions in America, or to obtain for herself any exclusive advantages.

And that, like England, she would willingly see the mother country in possession of superior commercial advantages, by amicable arrangements; and would be contented, like her, to rank, after the mother country, among the most favoured nations.

Lastly, that she abjured, in any case, any design of acting against the Colonies by force of arms.

The Prince de Polignac proceeded to say,

That, as to what might be the best arrangement between Spain and her Colonies, the French government could not give, nor venture to form, an opinion, until the King of Spain should bestir liberty.

That they would be ready to enter

upon it, in concert with their Allies, and with Great Britain among the number.

In observing upon what Mr Canning had said, with respect to the peculiar situation of Great Britain, in reference to such a conference, the Prince de Polignac declared,

That he saw no difficulty which should prevent England from taking a part in the conference, however she might now announce the difference, in the view which she took of the question, from that taken by the Allies. The refusal of England to co-operate in the work of reconciliation, might afford reason to think, either that she did not really wish for that reconciliation, or that she had some ulterior object in contemplation; two suppositions equally injurious to the honour and good faith of the British Cabinet.

The Prince de Polignac further declared,

That he could not conceive what could be meant, under the present circumstances, by a pure and simple acknowledgment of the independence of the Spanish Colonies; since, those countries being actually distracted by civil wars, there existed no government in them which could offer any appearance of solidity; and that the acknowledgment of American independence, so long as such a state of things continued, appeared to him to be nothing less than a real sanction of anarchy.

The Prince de Polignac added,

That, in the interest of humanity, and especially in that of the Spanish Colonies, it would be worthy of the European governments to concert together the means of calming, in those distant and scarcely civilized regions, passions blinded by party spirit; and to endeavour to bring back to a principle of union in government, whether monarchical or aristocratical, people

among whom absurd and dangerous theories were now keeping up agitation and disunion.

Mr Canning, without entering into discussion upon these abstract principles, contented himself with saying,

That, however desirable the establishment of a monarchical form of government in any of these provinces might be, on the one hand, or whatever might be the difficulties in the way of it, on the other hand, his government could not take upon itself to put it forward as a condition of their recognition.

P.

G. C.

No. II.

Sir W. A'Court to Mr Secretary Canning.—Received Jan. 14.

(Extract.) Madrid, Dec. 30, 1823.

The inclosed note, though dated the 26th, did not reach me till yesterday. By my answer, a copy of which I have the honour to inclose, you will see that I merely acknowledge its receipt, promising to transmit it to my government.

(Signed) WILLIAM A'COURT.

The Right Hon. George Canning,  
&c. &c. &c.

TRANSLATION OF FIRST INCLOSURE  
IN NO. II.

Count Ofalia to Sir Wm. A'Court.

Palace, Dec. 26, 1823.

Honoured Sir,—I have the honour to inform you, that the King, my august master, has determined to devote his particular attention to the regulation of the affairs concerning the disturbed countries of Spanish America, being solicitous to succeed in pacifying his dominions, in which the seeds of anarchy have taken root, to the prejudice of the safety of other governments. His Majesty has therefore thought that he might justly cal-

culate on the assistance of his dear Allies, towards obtaining results which cannot but prove beneficial to the tranquillity and happiness of all Europe.

The inclosed copy will put you, sir, in possession of the orders issued to his Catholic Majesty's representatives at the courts of Austria, France, and Russia; and as the ministers of Spain have not yet proceeded to London and Berlin, the King has directed me to address to you, sir, and to the minister of Prussia at this court, a transcript of the said communication; which his Majesty hopes you will have the goodness to transmit to your government, whose friendship and upright policy, the King, my master, trusts, will know how to appreciate the frankness of this communication, and the equity which has dictated the basis on which it is founded.—I avail myself of this opportunity, &c.

(Signed) THE CONDE DE OFALIA.

To the Minister of England.

TRANSLATION OF SECOND INCLOSURE  
IN NO. II.

The King, our sovereign, being restored to the throne of his ancestors, in the enjoyment of his hereditary rights, has seriously turned his thoughts to the fate of his American dominions, distracted by civil war, and brought to the brink of the most dangerous precipice. As, during the last three years, the rebellion which prevailed in Spain, defeated the constant efforts which were made for maintaining tranquillity in the Costu Firma, for rescuing the banks of the river Plata, and for preserving Peru and New Spain, his Majesty beheld with grief the progress of the flame of insurrection; but it affords, at the same time, consolation to the King, that repeated and irrefragable proofs exist of an immense number of Spaniards remaining true to their oaths of allegiance to the

throne; and that the sound majority of Americans acknowledge, that that hemisphere cannot be happy, unless it lives in brotherly connexion with those who civilized those countries.

These reflections powerfully animate his Majesty to hope, that the justice of his cause will meet with a firm support in the influence of the Powers of Europe. Accordingly, the King has resolved upon inviting the Cabinets of his dear and intimate Allies to establish a Conference at Paris, to the end that their plenipotentiaries, assembled there along with those of his Catholic Majesty, may aid Spain in adjusting the affairs of the revolted countries of America. In examining this important question, his Majesty will, in conjunction with his powerful Allies, consider of the alterations which events have produced in his American provinces, and of the relations which, during the disorders, have been formed with commercial nations; in order thereby to adopt, with good faith, the measures most proper for conciliating the rights and just interests of the crown of Spain, and of its sovereignty, with those which circumstances may have occasioned with respect to other nations. His Majesty, confiding in the sentiments of his Allies, hopes that they will assist him in accomplishing the worthy object of upholding the principles of order and legitimacy, the submission of which, once commenced in America, would presently communicate to Europe; and that they will aid him, at the same time, in re-establishing peace between this division of the globe and its Colonies.

It is therefore his Majesty's pleasure, that, penetrated with these reasons, and availing yourself of the resources of your well-known talents, you should endeavour to dispose the government with which you reside, to agree to the desired co-operation, for

which the events of the Peninsula have paved the way; authorizing you to communicate a copy of this note to the minister for foreign affairs.

God preserve you many years.

(Signed) THE CONDE DE OFALIA.  
To the Ambassador of his Catholic Majesty at Paris, and to his Ministers Plenipotentiary at St Petersburg and Vienna.

### THIRD INCLOSURE IN NO. II.

Sir William A'Court to Count Ofalia.  
Madrid, Dec. 30, 1823.

The undersigned, &c. &c., has the honour to acknowledge the receipt of the Count Ofalia's note, dated the 26th of this month. He will hasten to submit it to his government.

He begs his Excellency to accept, &c.  
(Signed) WILLIAM A'COURT.  
His Excellency the Count Ofalia, &c.

### No. III.

Mr Secretary Canning to Sir William A'Court.

Foreign Office, Jan. 30, 1824.

Sir,—The messenger Latchford delivered to me, on the 14th inst., your dispatch, inclosing a copy of the Count de Ofalia's official note to you, of the 26th of December last; with the accompanying copy of an instruction, which has been addressed, by order of his Catholic Majesty, to his ambassador at Paris, and to his ministers plenipotentiary at the Courts of Vienna and St Petersburg.

Having laid these papers before the King, I have received his Majesty's commands to direct you to return to them the following answer:—

The purpose of the Spanish Instruction is, to invite the several Powers, the Allies of his Catholic Majesty, to "establish a Conference at Paris, in order that their plenipotentiaries, together with those of his Catholic Ma-

jesty, may aid Spain in adjusting the affairs of the revolted countries of America.

The maintenance of the "sovereignty" of Spain over her late Colonies, is pointed out in this Instruction as one specific object of the proposed Conference; and though an expectation of the employment of force for this object, by the Powers invited to the Conference, is not plainly indicated, it is not distinctly disclaimed.

The invitation contained in this instruction not being addressed directly to the government of Great Britain, it may not be necessary to observe upon that part of it which refers to the late "events in the Peninsula," as having "paved the way" for the "desired co-operation."

The British government could not acknowledge an appeal founded upon transactions to which it was no party. But no such appeal was necessary. No variation in the internal affairs of Spain has, at any time, varied the King's desire to see a termination to the evils arising from the protracted struggle between Spain and Spanish America; or his Majesty's disposition to concur in bringing about that termination.

From the year 1810, when his Majesty's single mediation was asked, and granted to Spain, to effect a reconciliation with her Colonies—the disturbances in which Colonies had then but newly broken out—to the year 1818, when the same task, increased in difficulty by the course and complication of events in America, was proposed to be undertaken by the Allied Powers assembled in conference at Aix-la-Chapelle; and from the year 1818 to the present time, the good offices of his Majesty, for this purpose, have always been at the service of Spain, within limitations, and upon conditions, which have been, in each instance, explicitly described.

Those limitations have uniformly ex-

cluded the employment of force or of menace against the Colonies, on the part of any mediating Power; and those conditions have uniformly required the previous statement, by Spain, of some definite and intelligible proposition, and the discontinuance, on her part, of a system utterly inapplicable to the new relations which have grown up between the American provinces and other countries.

The fruitless issue of the conferences at Aix-la-Chapelle would have deterred the British government from acceding to a proposal for again entertaining, in conference, the question of a mediation between Spain and the American provinces, even if other circumstances had remained nearly the same. But the events which have followed each other with such rapidity during the last five years, have created so essential a difference, as well in the relative situation in which Spain and the American provinces stood, and now stand, to each other, as in the external relations and the internal circumstances of the provinces themselves, that it would be vain to hope that any mediation, not founded on the basis of independence, could now be successful.

The best proof which the British government can give of the interest which it continues to feel for Spain, is to state frankly their opinion as to the course most advisable to be pursued by his Catholic Majesty; and to answer, with the like frankness, the question implied in M. Ofalia's Instruction, as to the nature and extent of their own relations with Spanish America.

There is no hesitation in answering this question. The subjects of his Majesty have, for many years, carried on trade, and formed commercial connexions, in all the American provinces which have declared their separation from Spain.

This trade was originally opened with the consent of the Spanish go-

verment. It has grown gradually to such an extent, as to require some direct protection, by the establishment, at several ports and places, those provinces, of consuls on the part of this country;—a measure long deferred, out of delicacy to Spain, and not resorted to at last without distinct and timely notification to the Spanish government.

As to any farther step to be taken by his Majesty towards the acknowledgment of the *de facto* governments of America—the decision must (as has already been stated more than once to Spain, and to other powers) depend upon various circumstances, and, among others, upon the reports which the British government may receive of the actual state of affairs in the several American provinces.

But it appears manifest to the British government, that if so large a portion of the globe should remain much longer without any recognized political existence, or any definite political connexion with the established governments of Europe, the consequences of such a state of things must be at once most embarrassing to those governments, and most injurious to the interests of all European nations.

For these reasons, and not from mere views of selfish policy, the British government is decidedly of opinion, that the recognition of such of the new states as have established *de facto* their separate political existence, cannot be much longer delayed.

The British government have no desire to anticipate Spain in that recognition. On the contrary, it is on every account their wish that his Catholic Majesty should have the grace and the advantage of leading the way, in that recognition, among the powers of Europe. But the court of Madrid must be aware, that the discretion of his Majesty in this respect cannot be bound up by that of his

Catholic Majesty; and that even before many months elapse, the desire now sincerely felt by the British government to leave this precedency to Spain, may be overborne by considerations of a more comprehensive nature;—considerations regarding not only the essential interests of his Majesty's subjects, but the relations of the Old World with the New.

Should Spain resolve to avail herself of the opportunity yet within her power, the British government would, if the court of Madrid desired it, willingly afford its countenance and aid to a negotiation, commenced on that only basis which appears to them to be now practicable; and would see, without reluctance, the conclusion, through a negotiation on that basis, of an arrangement, by which the mother country should be secured in the enjoyment of commercial advantages superior to those conceded to other nations.

For herself, Great Britain asks no exclusive privileges of trade—no invidious preference, but equal freedom of commerce for all.

If Spain shall determine to persevere in other counsels, it cannot but be expected that Great Britain must take her own course upon this matter, when the time for taking it shall arrive; of which Spain shall have full and early intimation.

Nothing that is here stated can occasion to the Spanish government any surprise.

In my dispatch to Sir Charles Stuart of the 31st of March, 1823, which was communicated to the Spanish government, the opinion was distinctly expressed, that "time and the course of events had substantially decided the opinion of the British government in favour of the recognition of the new states of the other country; although the formal recognition of those provinces, as independent states, by his Majesty, might be hastened or retarded by various external circumstances, as well as by the

more or less satisfactory progress, in each state, towards a regular and settled form of government."

At a subsequent period, in a communication made, in the first instance, to France, and afterwards to other powers, as well as to Spain, the same opinions were repeated; with this specific addition—that, in either of two cases, (now happily not likely to occur)—in that of any attempt on the part of Spain to receive the obsolete interdiction of intercourse with countries over which she has no longer any actual dominion;—or in that of the employment of foreign assistance to re-establish her dominion in those countries, by force of arms; the recognition of such new states by his Majesty would be decided and immediate.

After thus declaring to you, for the information of the court of Madrid, the deliberate opinion of the British government on the points on which Spain requires the advice of her allies, it does not appear to the British cabinet at all necessary to go into the conference, to declare that opinion anew, even if it were perfectly clear, from the tenor of M. Ofalia's Instruction, that Great Britain is in fact included in the invitation to the conference at Paris.

Every one of the powers so invited has been constantly and unreservedly apprized, not only of each step which the British government has taken, but of every opinion which it has formed on this subject; and this dispatch will be communicated to them all.

If those powers should severally come to the same conclusion with Great Britain, the concurrent expression of their several opinions cannot have less weight in the judgment of Spain, and must naturally be more acceptable to her feelings, than if such concurrence, being the result of a conference of five powers, should carry the appearance of a concerted dictation.

If (unhappily, as we think) the Al-

lies, or any of them, should come to a different conclusion, we shall at least have avoided the inconvenience of a discussion, by which our own opinion could not have been changed;—we shall have avoided an appearance of mystery, by which the jealousy of other parties might have been excited;—we shall have avoided a delay, which the state of the question may hardly allow.

Meanwhile, this explicit recapitulation of the whole course of our sentiments and of our proceedings on this momentous subject, must at once acquit us of any indisposition to answer the call of Spain for friendly counsel, and protect us against the suspicion of having any purpose to conceal from Spain or from the world.

I am, &c.

(Signed) GEORGE CANNING.  
The Right Hon. Sir W. A'Court,  
\* G.C.B. &c.

TREATY BETWEEN HIS BRITANNIC  
MAJESTY AND THE KING OF THE  
NETHERLANDS, RESPECTING TER-  
RITORY AND COMMERCE IN THE  
EAST INDIES.

*Signed at London, March 17, 1824.*

(Presented to both Houses of Parlia-  
ment, by Command of His Ma-  
jesty.)

In the Name of the Most Holy and  
undivided Trinity:

His Majesty the King of the United  
Kingdom of Great Britain and Ireland,  
and his Majesty the King of the Ne-  
therlands, desiring to place upon a  
footing, mutually beneficial, their re-  
spective possessions, and the commerce  
of their subjects, in the East Indies,  
so that the welfare and prosperity of  
both nations may be promoted, in all  
time to come, without those differences  
and jealousies which have, in former



times, interrupted the harmony which ought always to subsist between them; and being anxious that all occasions of misunderstanding between their respective agents may be, as much as possible, prevented; and in order to determine certain questions which have occurred in the execution of the Convention made at London on the 13th of August, 1814, in so far as it respects the possessions of his Netherland Majesty in the East, have nominated their Plenipotentiaries: that is to say,—

His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Hon. George Canning, a Member of his said Majesty's Most Honourable Privy Council, a Member of Parliament, and his said Majesty's Principal Secretary of State for Foreign Affairs; and the Right Hon. Charles Watkin Williams Wynn, a Member of his said Majesty's Most Honourable Privy Council, a Member of Parliament, Lieutenant-Colonel Commandant of the Montgomeryshire Regiment of Yeomanry Cavalry, and President of his said Majesty's Board of Commissioners for the Affairs of India:—

And his Majesty the King of the Netherlands, Baron Henry Fagel, Member of the Equestrian Corps of the Province of Holland, Counsellor of State, Knight Grand Cross of the Royal Order of the Belgic Lion, and of the Royal Guelphic Order, and Ambassador Extraordinary and Plenipotentiary of his said Majesty to his Majesty the King of Great Britain:— And Anton Reinhard Falck, Commander of the Royal Order of the Belgic Lion, and his said Majesty's Minister of the Department of Public Instruction, National Industry, and Commerce:—

Who, after having mutually communicated the full powers, found in good and due form, have agreed on the following Articles:—

Article 1. The High Contracting Parties engage to admit the subjects of each other to trade with their respective possessions in the Eastern Archipelago, and on the Continent of India, and in Ceylon, upon the footing of the most favoured nation; their respective subjects conforming themselves to the local regulations of each settlement.

2. The subjects and vessels of one nation shall not pay, upon importation or exportation, at the ports of the other in the Eastern Seas, any duty at a rate beyond the double of that at which the subjects and vessels of the nation to which the port belongs are charged.

The duties paid on exports or imports at a British port, on the Continent of India, or in Ceylon, on Dutch bottoms, shall be arranged so as, in no case, to be charged at more than double the amount of the duties paid by British subjects, and on British bottoms.

In regard to any article upon which no duty is imposed, when imported or exported by the subjects, or on the vessels, of the nation to which the port belongs, the duty charged upon the subjects or vessels of the other shall, in no case, exceed six per cent.

3. The High Contracting Parties engage, that no treaty hereafter made by either, with any native power in the Eastern Seas, shall contain any article tending, either expressly, or by the imposition of unequal duties, to exclude the trade of the other party from the ports of such native power: and that if, in any treaty now existing in either part, any article to that effect has been admitted, such article shall be abrogated upon the conclusion of the present Treaty.

It is understood that, before the conclusion of the present Treaty, communication has been made by each of the contracting parties to the other,

of all treaties or engagements subsisting between each of them, respectively, and any native power in the Eastern Seas; and that the like communication shall be made of all such treaties concluded by them, respectively, hereafter.

4. Their Britannic and Netherland Majesties engage to give strict orders, as well to their civil and military authorities, as to their ships of war, to respect the freedom of trade established by Articles 1st, 2d, and 3d; and, in no case, to impede a free communication of the natives in the Eastern Archipelago, with the ports of the two governments, respectively, or of the subjects of the two governments with the ports belonging to the native powers.

5. Their Britannic and Netherland Majesties, in like manner, engage to concur effectually in repressing piracy in those seas: They will not grant either asylum or protection to vessels engaged in piracy; and they will, in no case, permit the ships or merchandise captured by such vessels to be introduced, deposited, or sold, in any of their possessions.

6. It is agreed that orders shall be given by the two governments to their officers and agents in the East, not to form any new settlement on any of the islands in the Eastern Seas, without previous authority from their respective governments in Europe.

7. The Molucca Islands, and especially Amboyna, Banda, Ternate, and their immediate dependencies, are excepted from the operation of the 1st, 2d, 3d, and 4th Articles, until the Netherland government shall think fit to abandon the monopoly of spices; but if the said government shall, at any time previous to such abandonment of the monopoly, allow the subjects of any power, other than a native Asiatic power, to carry on any commercial intercourse with the said islands, the

subjects of his Britannic Majesty shall be admitted to such intercourse, upon a footing precisely similar.

8. His Netherland Majesty cedes to his Britannic Majesty all his establishments on the Continent of India; and renounces all privileges and exemptions enjoyed or claimed in virtue of those establishments.

9. The Factory of Fort Marlborough, and all the English possessions on the island of Sumatra, are hereby ceded to his Netherland Majesty; and his Britannic Majesty further engages, that no British settlement shall be formed on that island, nor any treaty concluded by British authority, with any native prince, chief, or state therein.

10. The town and fort of Malacca, and its dependencies, are hereby ceded to his Britannic Majesty; and his Netherland Majesty engages, for himself and his subjects, never to form any establishment on any part of the peninsula of Malacca, or to conclude any treaty with any native prince, chief, or state therein.

11. His Britannic Majesty withdraws the objections which have been made to the occupation of the island of Billiton and its dependencies, by the agents of the Netherland government.

12. His Netherland Majesty withdraws the objections which have been made to the occupation of the island of Singapore, by the subjects of his Britannic Majesty.

His Britannic Majesty, however, engages, that no British establishment shall be made on the Carimon Isles, or on the islands of Battam, Bintang, Lingin, or on any of the other islands south of the Straits of Singapore, nor any treaty concluded by British authority with the chiefs of those islands.

13. All the colonies, possessions, and establishments, which are ceded by preceding Articles, shall be delivered up to the officers of the respective Sovereigns on the 1st of March, 1825.

The fortifications shall remain in the state in which they shall be at the period of the notification of this Treaty in India; but no claim shall be made, on either side, for ordnance or stores of any description, either left or removed by the ceding power, nor for any arrears of revenue, or any charge of administration whatever.

14. All the inhabitants of the territories hereby ceded, shall enjoy, for a period of six years from the date of the ratification of the present Treaty, the liberty of disposing, as they please, of their property, and of transporting themselves, without let or hindrance, to any country to which they may wish to remove.

15. The High Contracting Parties agree that none of the territories or establishments mentioned in Articles 8, 9, 10, 11, and 12, shall be at any time transferred to any other power. In case of any of the said possessions being abandoned by one of the present Contracting Parties, the right of occupation thereof shall immediately pass to the other.

16. It is agreed that all account and reclamations, arising out of the restoration of Java, and other possessions, to the officers of his Netherland Majesty in the East Indies, as well those which were the subject of a convention made at Java on the 24th June, 1817, between the Commissioners of the two nations, as all others shall be finally and completely closed and satisfied, on the payment of the sum of 100,000*l.* sterling money, to be made in London, on the part of the Netherlands, before the expiration of the year 1825.

17. The present Treaty shall be ratified, and the ratification exchanged at London, within three months from the date hereof, or sooner, if possible.

In witness whereof, the respective Plenipotentiaries have signed the same and affixed thereunto the seals of their arms.

Done at London, the 17th day of March, in the year of our Lord 1824  
(L.S.) GEORGE CANNING.

(L.S.) CHARLES WATKINS WIL

## PRINCIPAL HEADS OF THE REPORT OF THE COMMISSIONERS ON THE FORMS OF PROCESS, AND COURSE OF APPEALS IN SCOTLAND

### PROCEEDINGS IN ORDINARY CAUSES.

In considering the forms of proceeding in ordinary causes, the Commissioners have directed their attention, in the first place, to the preparation of the Cause which stands the first in order of the subjects to which they are required to attend.

#### I. PREPARATION OF THE CAUSES.

In Scotland, the preparatory plead-

ings in a cause are not carried on, as in England, by the counsel of the parties out of court; but the cause, in its first stage, is brought before a single Judge, called the Lord Ordinary, in the Outer House, to be prepared for judgment, under his superintendence and interlocutory orders, and although there have arisen in this stage of the proceedings, faults and imperfections which require correction, it appears to the Commissioners, that without changing this course of judicial superintendence, it is possible, by certain alterations in the existing forms,

to attain a system of pleading, and preparation for trial, better adapted to the peculiarities of Scottish Jurisprudence, and more congenial with the habits of the people, than by any attempt to imitate the English practice of special pleading.

Actions, in general, begin in Scotland by a summons, which differs essentially from the English writ. It is not intended merely for calling the defendant into court, but contains, in what is called the libel, a statement of the nature and facts of the case, and of the demand made against the defendant; together with conclusions drawn from the facts stated, and from the law assumed by the pursuer or plaintiff. The defence is lodged with the clerk of the Court, for the perusal of the pursuer, before the cause comes on to be heard by the Lord Ordinary, and it contains a written answer to the demand; sometimes specifying fully the particular facts alleged in opposition to the pursuer's statement, sometimes only announcing generally the pleas to be opposed to the conclusions of the summons.

In cases simple in their nature, the summons on the one hand, and the defence on the other, may contain the whole of the material averments and pleas of the parties, both in fact and law, and upon the statements therein contained the parties may be willing to proceed. But in cases of a more complex nature, it has been found in practice to be difficult, and in some cases impracticable, to obtain from each party, in the very outset of the contest, a statement of the whole facts to which they may ultimately have occasion to resort. It is so, even in courts of strict law, as in England. But much more is this the case in Scotland, where the combination of law and equity in one complex system, tends very much to increase the difficulty of laying the original ground of action, and

of stating the defence, and to suggest doubts of the expediency, or the justice of forcing a complete disclosure of the facts at the first coming into court. It has accordingly been the practice in Scotland, for a long course of years, that after the defences have been lodged, the parties come before the Lord Ordinary, to be heard on the case, either in expectation of judgment, the facts being clear or admitted, on either hand, or, in more complex actions, with a view chiefly to the more full disclosure of the respective cases, both in fact and in law, and to have it settled what is the best course to be followed in preparing the cause for judgment.

The Commissioners, in tracing the progress of the forms of proceeding, relative to the preparation of causes, have found, that much inaccuracy and vagueness have been gradually introduced.

When facts were disputed, they were not tried by a jury, settling them by their verdict conclusively, but decided upon depositions of witnesses, who were originally examined before certain Judges of the Court of Session, (called Ordinaries on oaths and witnesses,) more lately by advocates, or others holding a commission from the judge, and the depositions so taken were reported to the Court for judgment.

This unsatisfactory course of judicial discussion, led to certain Parliamentary inquiries in the reign of his late Majesty; and Commissioners were appointed, under whose recommendation some improvements were introduced. The Judges of the Court of Session had also themselves attempted, by means of orders of court, or acts of sederunt, to reform the course of pleading, and to bring parties to a more precise issue on their averments concerning matters of fact.

In their endeavours thus to remedy the imperfection of the process of preparation, the Court of Session had their

attention chiefly directed to the obtaining of correct statements of the facts averred. And the parties were required to put in precise statements of the facts, in the shape of what are technically called confessions; specifying on either part the averments which the pursuer or defender offered to establish. In the books of sederunt, some very salutary regulations are recorded for perfecting this mode of pleading, by means of which, a very great improvement was made in the preliminary stage of the process. But the beneficial effects which would have resulted from these improvements in the preparation of the cause, were too often counteracted by the subsequent and repeated voluminous written and printed pleadings. These gave the parties an opportunity of stating new averments in point of fact, and new pleas in point of law, down to the very last stage of the cause, while it became very difficult for the Court, amidst the length and multiplicity of pleadings, to discover the original statements of the parties, or to reject new ones which appeared to be relevant and material.

From these various causes, great vagueness of statement, with continual changes in the successive written arguments, have continued to prevail; and the consequences have been, a want of accuracy in separating the law from the fact; loose statements of law and fact at the commencement of a cause, variances from the original statement in the progress of causes, and the introduction of new matters of fact and of law, in the successive written arguments, down to the very conclusion of the proceedings.

The Commissioners have anxiously deliberated on the best means of enforcing the rules of Court, relative to the statement of the facts, and of completing the process of preparation of causes in matter of law. And the re-

sult of these deliberations they have now to state, premising, that they have thought themselves authorized to consider the expression, "the commencement of a cause," in a large sense, as not strictly to be applied to the very first steps in the proceedings, but as extending to the whole of the preparatory process, the object of which is to settle the issue or question for determination, either in fact or in law.

The Commissioners humbly propose the following regulations for adoption, relative to the preparation of causes:—

*I. Statements of Fact.*—In reference to this part of the proceedings, they propose:—

1. That as, in the course of the first hearing before the Lord Ordinary, it is intended that the parties should obtain a full disclosure of the respective averments in point of fact, and of the pleas to be deduced from them; it is proper, as a necessary preparation for this discussion, that the rule should be enforced imperatively on both parties, to produce, along with the summons and defences, all the writings in their custody, or within their power, on which they respectively mean to found; and if there be writings to which either party has not access, that the Lord Ordinary shall, on cause shewn, grant diligence for compelling the recovery and production of the writings required.

2. That after hearing the parties, the Lord Ordinary shall call upon both to state explicitly, whether they hold the summons and defences as containing their full and final statement of the facts. If they answer that they do, then the clerk shall enter on record a minute to that effect, which shall be signed by the counsel on both sides; and in any future stage of the cause, whether in written or viva-voce pleadings, the summons and defences so au-

thenticated shall be held as foreclosing the parties against any new averment of fact.

3. That if the parties do not agree to hold the summons and defences as containing a full statement of the fact, or if the Lord Ordinary himself does not consider the statement in the summons and defences sufficiently distinct and explicit, the Lord Ordinary shall order the pursuer or defender, as the case may be, to give in, the one a condescendence, the other an answer, or mutual condescendences of the facts to which they aver and offer to prove in support of the summons, or of the defences. The form of condescendences is regulated by several acts of sederunt, particularly by that of the 7th February, 1810. The Commissioners recommended, that, in future, the strictest attention should be paid by the Lords Ordinary, to enforce the provisions of that act of sederunt; and they have only to suggest, in addition to what is contained therein, and with a view to the attainment of its object, that each fact averred should, instead of being expressed in a loose narrative style, be reduced into the form of a positive and substantive proposition, beginning with a set form of words, such as, "The Pursuer, or Defender, avers and offers to prove," &c. The same observations apply as to the form of Answers.

4. That the Lord Ordinary ought, in all cases, to order the parties to revise the condescendences and answers, in order finally to adjust the averments, by omitting such as may become unnecessary, or by making such admissions as may be requisite.

5. That the time for lodging the condescendence and answers being fixed, on due consideration of the circumstances, ought not to be extended or prorogated, unless, before the lapse of the day fixed, special application shall be made, and special cause shewn; and

in case the time fixed shall be allowed to elapse without such application, the Lord Ordinary shall not reponne the party, but on payment of full expenses. But if the party shall fail to comply with the ultimate order of the Lord Ordinary, to lodge a condescendence or answer, then it shall be competent for the Lord Ordinary to hold the summons or defences for such party as his condescendence or his answers, finally fixing the averments in point of fact on which he founds, or which he can be allowed to prove.

## II. PLEAS IN MATTER OF LAW.

THE averments in point of fact being thus settled, the pleas on which, as resulting from the facts, the parties mean to rely, ought next to be set forth, and the Commissioners humbly propose the following regulations:—

1. That when the parties shall have judicially declared, that they hold the summons and defences as containing their final settlement of facts, they shall be required by the Lord Ordinary also to state, whether they mean to hold them likewise as containing their pleas and grounds of action and defence, in point of law.

2. That where they do not agree so to hold them, or in those cases in which the summons and defences not having been held conclusive of the facts, condescendences and answers have been prepared, and finally adjusted and revised; the parties shall be ordered to give in short and concise notes, signed by their counsel, stating, in the shape of distinct and separate propositions, the pleas or matter of law which they are respectively to maintain, unaccompanied by any argument; but with a brief citation, (by mere reference to the names, pages, chapters, sections, &c.) of the authorities relied on.

3. That the orders of the Lord Ordinary for giving in such notes of pleas, shall be enforced strictly, as above suggested, with regard to condescendences and answers.

4. That when the process shall have been so far prepared by mutual condescendences, or condescendence and answers, and by the respective notes of pleas as arising out of the facts, the cause ought to be enrolled before the Lord Ordinary, for the purpose of the record being finally made up, and the cause disposed of by such order or judgment as the Lord Ordinary shall think the shape and nature of the case require: And when the cause comes accordingly before him for this purpose, the Lord Ordinary shall, before pronouncing judgment on the merits, or making any order for jury trial, or otherwise, finally close the record, by authenticating with his signature the adjusted condescendences or condescendence and answers, and relative notes of pleas.

5. That no reclaiming petition shall be competent against the interlocutors of the Lord Ordinary, in the preparation of the cause. But on a note to his lordship, to be presented within a certain short time, desiring a review of any such interlocutor or order, his lordship shall make an oral report to the division, at a time to be fixed, with power to him to supersede making such report, till the preparation of the cause shall be farther proceeded in, or completed.

6. That it shall be competent for the Lord Ordinary, on hearing the parties, to suggest any new plea which may appear to him relevant to the cause, and also to the parties, to amend their pleas by leave of the Lord Ordinary; and the additional pleas thus suggested, or allowed to be added, shall be included among the pleas to be authenticated by the judge's signature.

7. That when the record shall have

thus been completed and closed by the Lord Ordinary's signature, the revised condescendence and answers shall thenceforward be held as the final record foreclosing the parties as to averments in point of fact, and that, (with the exception to be immediately stated,) no amendment of the libel shall be allowed after the revised condescendence and answers shall have been authenticated by the judge, reserving to the party, if otherwise competent, to abandon the cause on paying costs, and to bring a new action.

But as the law of Scotland permits parties, in the course of a cause, to make statements of fact, *noviter inveniunt ad notitiam*, or emerging since its commencement, the right to do so should be preserved entire, provided that such statement of fact shall not be incidentally introduced, but announced to the Lord Ordinary or the court, by means of a special application for leave to state such facts; when they shall be allowed to be stated only upon payment of such expenses as may be deemed reasonable, and in the shape of a specific condescendence framed as above suggested, accompanied with a note, stating the plea in law arising therefrom; and the other party, ought, in like manner, by interlocutor, to be ordered to answer such condescendence and plea.

\* 8. That the note of pleas, authenticated as before, shall in like manner be held as the record of the grounds on law to which the future arguments of the parties shall be restrained. Providing, however, that where any new plea shall, in the course of the discussion, occur either to the Lord Ordinary or the court, or to the party, as fit to be raised and discussed, it shall be competent, with leave of the Lord Ordinary, or of the court, to add such plea to the note of pleas, authenticated by the Lord Ordinary, as before.

The Commissioners propose that the

first or preliminary stage of the proceedings should terminate at this point, when the averments of the parties in matter of fact, and their pleas in matter of law, being fully disclosed and adjusted, the cause is ready for farther discussion.

## II. TRIAL OF THE CAUSE, AND FINAL JUDGMENT.

The second branch of the inquiry into the forms of proceeding in the Court of Session, relates to the trial of the cause; 1st, as it regards the ascertainment of the fact; 2d, as it regards the judgment of the court, on the fact, when ascertained.

After a cause has been prepared before the Lord Ordinary, agreeably to the regulation already suggested, it is then to be disposed of, either by pronouncing judgment, if the facts are not disputed, or by giving such order for the ascertainment of the fact, as may be suitable to the nature of the action, and the circumstances of the case.

Before the recent institution of jury trial in civil causes in Scotland, facts were ascertained as already stated by the depositions of witnesses, taken originally under the inspection of the Lords Ordinary, on oaths and witnesscs, but which duty had for many years been delegated to Commissioners. These depositions were taken, not precisely in the way in which depositions are taken in Chancery in England; namely, upon interrogatories, the parties not being present at the examination, but by calling the witnesses before the Commissioner, and having them examined in chief and in cross, in presence of the parties, as is done in England before a jury. The import of these depositions was taken down in writing by the commissioner, for the perusal and judgment of the court. This practice, unless in very particu-

lar cases, has, since the institution of jury trial, and especially of late, been abandoned almost entirely, with the reservation of certain cases, in which this mode of proof is obviously requisite.

The commissioners humbly propose to offer some suggestions relative to the proceedings in the jury court, under another head of the report. In the meantime, it is sufficient to say, that where it is thought expedient to have recourse to this mode of trial, the Lord Ordinary should have it in his power either to send the whole cause to trial in the jury court, or to send a particular issue or issues, in a complex case, or case of equity, to have matter of fact ascertained, by a verdict to be returned to him to assist his judgment thereon.

In particular cases, (such as accountings,) where the evidence is of a kind unfit to be investigated otherwise than by persons of skill, the Lord Ordinary, by the present practice of the court, instead of ordering a proof by commission, or a trial by jury, finds it more expedient to remit the whole matter in dispute to a professional person, for his report, subject to the review of the Lord Ordinary, and with reservation of all questions of law which may arise, or such questions of fact as may require evidence by jury trial, or by proof in commission. This practice, the Commissioners are of opinion, ought not to be disturbed.

When the facts are admitted or sufficiently ascertained, and it is not deemed necessary to give any order for the farther trial of them; or when the cause depends on the construction of deeds; or where it returns for judgment on a special verdict, or on the report of a proof by commission, or on the report of an accountant, the Lord Ordinary either proceeds to judgment, (his decision being subject to review by the Inner House,) or in case of difficulty



and importance in matter of law, he may desire to have the cause at once sent to the Inner House for decision, (which is technically called taking the cause to report, or making avizandum to the Inner House.) And the Commissioners, in what they have now to propose, will take these two proceedings separately.

I. The Commissioners humbly propose the following regulations relative to the decision of causes in the Outer House, and the review of them by judges in the Inner House.

1. That after a cause has been prepared before the Lord Ordinary, and the record has been closed agreeably to the regulations already suggested, the Lord Ordinary shall either decide the cause upon the admissions of the parties, or order the facts, to be ascertained by jury trial, or otherwise, as to him shall seem most just and expedient. And it shall be competent to his lordship, either to take time to consider the cause, and thereupon to pronounce his judgment, or to order a farther hearing, or (if it shall seem to him expedient) to order cases in writing to be prepared and lodged by the parties, and to be seen, interchanged, and finally adjusted between them, so that their arguments in point of law may meet each other; and at pronouncing such order, or giving judgment, the Lord Ordinary ought to state in a note, the view which he then takes of the cause, in as far as shall appear to him to be necessary.

2. That the order for giving in cases shall be enforced in the manner above recommended, relative to condescendances and answers.

3. That when cases shall be ordered, they shall be drawn up after the form of appeal cases to the House of Lords, as afterwards directed; and that on the outset of such cases, there shall be crossed the summons and defen-

ces, and the authenticated condescendances and answers; or the summons and defences only, if these have been held as the statements of the parties in point of fact; after which, the notes of the pleas shall, in like manner, be verbatim engrossed; each plea being separately discussed and supported by the proper arguments and authorities. And the court ought utterly to prohibit and reject, and order to be expunged, any statements of facts or pleas, not contained in the previous record.

4. That when such cases have been lodged, the Lord Ordinary may call the parties again to the bar, and give them an opportunity of being farther heard, before sentence is pronounced.

5. That the judgment of the Lord Ordinary on the merits, ought to be final in the Outer House.

6. That in order to render the judgment of the Lord Ordinary complete, and to avoid a secondary, and often very distressing and expensive litigation, regarding costs, every judgment of the Lord Ordinary on the merits of any cause, ought to bear a special finding with respect to the matter of expenses, giving or refusing the same in whole or in part.

7. That when the Lord Ordinary shall proceed to give judgment without having taken the cause to report, and his judgment shall be complained of by either party, the party complaining of it shall, within a certain number of days from the date of the judgment, print and put into the boxes appointed for receiving the papers to be perused by the judges, a note to the court, merely reciting and praying for an alteration of the Lord Ordinary's interlocutors or judgments, in whole or in part; and shall at the same time print and put into the boxes for perusal of the judges, the cases, when cases have been lodged in the Outer House; or where judgment has been pronounced without ordering cases, shall print

and put into the boxes, copies of the summons and defences, and of the revised condescendence and answers, and notes of pleas, as authenticated by the signature of the Lord Ordinary; and that it shall not be competent for either party to bring the judgments of the Lord Ordinary under the review of the Inner House, by the form of reclaiming petition, as now in use, but only in the mode now pointed out.

8. That the court shall, on such note, hear counsel, and thereafter proceed to decide the cause; or before proceeding to decide the cause, may appoint parties to prepare and print cases in the form already mentioned; and whether cases have been sent up from the Outer House, or ordered in the Inner House, the court ought to hear counsel on such cases before giving judgment in the cause, it being understood that, in all causes, before pronouncing judgment, it shall be in the power of the court to order parties to be reheard as often, and on the whole, or in such parts of the cause, as shall seem to the court to be expedient.

II. The Commissioners approve of the practice of reporting causes to the Inner House: and

1. They suggest, that in respect to all incidental matters arising in the

course of the cause, which the Lord Ordinary shall think it right to report, but upon which he shall not think it necessary to order cases, it shall be competent for him to report verbally to the Inner House, and that such matters should be disposed of upon *viva voce* hearing only, unless the court should think it necessary to order cases. And the judgment following on such report, shall be final to such incidental points.

2. The Commissioners recommend, that when the Lord Ordinary shall take the cause itself by report to the Inner House, cases, after the form already recommended, shall be prepared and lodged, and seen, interchanged and adjusted, and shall supply the place of the printed memorials, or informations, now in use, to be lodged. And, on this occasion, as well as where cases are ordered by the Inner House, the court shall hear the parties before proceeding to judgment.

3. That in all causes, the interlocutors of the Inner House shall be final in the Court of Session.

(The Commissioners then consider "proceedings in particular cases;" under which they treat of "Inner House Causes"—Advocation and Suspension—Bill Chamber—Edictal citation—Judicial and diets of summonses—Witnesses residing abroad.)

## OF THE FORMS OF PROCEEDING IN THE JURY COURT.

### *Art. 5 of Instructions.*

By the fifth article of your Majesty's Instructions, the Commissioners are directed to report, "Whether the trial by Jury is, in Scotland, as largely resorted to as it might be? Whether the primary jurisdiction of the Jury Court might not be advantageously extend-

ed? Whether trial by Jury might not be usefully resorted to in proceedings before the Inferior Courts? And generally, Whether any alteration or improvement might be made by law in the forms of proceeding before the Jury Court, advantageous to the suitors and to the public?"

The Commissioners have in obe-

dience to the above article of your Majesty's Instructions, made full inquiry, and do now humbly report :—

I. That, in their opinion, the Court of Session has remitted to the Jury Court for trial, as many of the cases brought before them, as, in the exercise of a sound discretion upon the subject, they were called upon to remit; but they have reason to believe, that many of the cases so remitted have never come to an actual trial; having either been compromised or otherwise settled between the parties. What is the number of the cases so compromised or settled, or what proportion they bear to the number of those originally remitted, the Commissioners are unable, after every inquiry on the subject, precisely to ascertain. But they do not think a mere comparison of the number of causes remitted, with the number of those tried, can afford any ground for the inference, that the trial by Jury in Scotland has not been so largely resorted to by the subjects there as it might have been under the existing Acts of Parliament. And they see no reason to conclude, that as many causes have not been brought to actual trial, as under the circumstances of the novelty of the institution, and the pre-existing prejudices in favour of old forms, could fairly be expected.

2. That from the contradictory statements made to the Commissioners, and from the total want of any scale by which a comparison could be made, they are unable to form a very accurate notion upon the subject of expenses upon which much has been said; but they are of opinion, that the costs of Jury Trial have hitherto been increased by causes which are temporary, and which may soon be expected to cease.

3. That for some time after the first introduction of Jury Trial into Scotland, much inconvenience was found to arise from the want of skill in the pre-

paration of issues to be tried by a jury. But the Commissioners are now enabled to state, that considerable improvement has been made, and is making, in this essential point, and they have no doubt that the practice of a few years more, with the due observance of the regulations which they have recommended in this report, relative to the preparation of causes, will greatly facilitate the speedy and accurate preparation of issues.

4. That Trial by Jury could not be usefully resorted to in proceedings before the inferior courts; but if the alterations which the Commissioners have suggested as to the mode and time of removing causes into the Court of Session shall be adopted, the benefit of Trial by Jury will be extended to many cases which must now be decided before the inferior courts, without such trial.

The Commissioners humbly propose an extension of the primary jurisdiction of the Jury Court, and the following alterations and improvements in the forms of proceeding :—

I. That the primary jurisdiction of the Jury Court may be advantageously extended, by providing, that there should be remitted forthwith to that Court all causes of the nature and description following, (that is to say,)

1. Actions on the edict, *navulæ*, *caupones*, *stabularii*.

2. Actions brought for nuisance.

3. Actions of reduction on the head of furiosity and idiocy.

4. Actions of reduction on the head of facility and sesion.

5. Actions of reduction on the head of force and fear.

6. Actions on policies of insurance, whether the same be maritime policies, or policies against fire or on lives.

7. Actions on charter parties and bills of lading.

8. Actions for freight, and other contracts for the carriage of goods by land or water.

9. Actions for the wages of the master and mariners of ships or vessels.

II. That all processes which are specified in the first section of the Act 59, Geo. III. c. 35, and also, all those included in the above additional enumeration of causes to be remitted forthwith to the Jury Court, shall, in so far as they originate in the Court of Session, (with the exception of processes of reduction,) be enrolled in the regulation roll, whether appearance be entered for the defender or not; that all such processes, excepting processes of reduction, whether originating in the Court of Session or Court of Admiralty, (provided that these originating in the latter Court shall be for the value of £40, or upwards,) shall, at the first calling before the Judge, be forthwith remitted to the Jury Court, if appearance be then made by the defender, or immediately on such appearance being made; and provided also, in maritime causes before the Court of Admiralty, that caution shall have been found according to the course in the Admiralty Court, and that the processes of reduction, mentioned in the said enumeration, shall also, immediately on the production being satisfied, be remitted to the Jury Court.

III. That the Jury Court, or any one of the Judges thereof, shall, on such remit, proceed in the preparation of the cause, in the same way and manner as is prescribed for the preparation of causes in the Court of Session.

IV. That if it shall then appear to the Jury Court or Judge, that the question is merely one of law, the cause, if it originated in the Court of Session, shall forthwith be remitted to the Ordinary of the division of the Court of Session, by whom the same was remitted, to be thereafter proceeded in, and decided by, the Lord Ord-

nary, or Court of Session, agreeably to the rules and regulations before suggested.

V. That after the cause has been so prepared in the Jury Court, it shall be competent for either of the parties to move for an order by the Jury Court, that the cause be remitted to the Court of Session, on the ground that there is a question of law or relevancy which ought to be decided previous to trial; and if an order for such remit shall be made by the Jury Court, then the cause shall proceed in the Court of Session, in the same manner as if it had been prepared, and the judgment of the Court therein shall, as in other causes, be final.

VI. That if matters of fact shall remain to be proved after the question of law has been determined by the judgment of the Court of Session, the process shall be remitted back to the Jury Court for that purpose, and it shall not be competent in such case to appeal to the House of Lords from the said judgment, until after the trial of the matter of fact in the Jury Court.

VII. But if, on motion made to the Jury Court for a remit to the Court of Session, it shall appear to the said Jury Court, that there is no question of law or relevancy which ought to be decided previous to trial, it shall then be competent to the Jury Court to refuse its order to that effect, which refusal ought to be final and conclusive, and the cause should forthwith be proceeded in, and tried, in the same manner as if no such motion had been made; it being competent for the Jury Court, if it see cause, to reserve the alleged question of law for the consideration of the Court of Session.

8. That the same rules shall be followed in causes remitted to the Jury Court from the High Court of Admiralty; with this difference, that the remit from the Jury Court, or the reservation by that court shall, in such

cases, be made to the Judge-Admiral, and that the procedure after remit shall be according to the course of that Court.

9. With reference to the preparation of issues, the Commissioners humbly recommend, that after the cause has arrived at that stage in which it is ready for issue, the pursuer shall deliver to the clerk of the Jury Court the issue or issues in the cause, which he conceives to be proper for trial, prepared and signed by counsel, and that, in like manner, the defender shall, if he thinks proper, deliver to the same clerk, the issue or issues in the cause which he conceives to be proper for trial, prepared and signed in the same manner. And if the issue or issues so respectively delivered, shall be approved of by the Jury Court, the same issues shall be delivered out to the parties by the clerk, to be tried by the Jury. But if the same shall not be approved of, they shall be altered by the Court, either by adding to the issues such others as they may deem necessary, or by leaving out such as are unnecessary, or by remodelling the form of those delivered, and a copy of the issue or issues so altered by the Court, shall be delivered out to the respective parties in the cause. And, finally, if either party think he has cause to object to the issues so altered by the Court, he shall be at liberty to apply to the Jury Court by motion to make such alteration therein as he shall think proper, or to adopt the issues originally prepared by him; and that the Court shall, after hearing counsel, make such order thereupon as the justice of the case requires.

10. It is provided by the statute, 59 Geo. III. c. 35, that bills of exception on matters of law arising upon the trial of cases remitted by the Judge of the High Court of Admiralty, shall be decided upon by the divisions of the

Court of Session alternately; but there is no similar provision with respect to such motions for new trials as it is competent to make in the Court of Session in Admiralty causes; the Commissioners recommend that this defect should be supplied.

11. That the practice of requiring the parties before trial to produce and exchange lists of the witnesses whom they propose to examine, has been attended with consequences of a very injurious nature, and therefore it would be expedient to put an end to such practice, and to repeal the seventeenth section of the Act of Sederunt, 3d July, 1823, relative to the Jury Court, by which this practice is continued.

12. The Commissioners do not think it necessary to recommend any other alterations in the form of process in the Jury Court; but they venture, in this place, humbly to offer their opinion upon another point which appears to be intimately connected with this part of the subject. They think that it would be attended with beneficial effects in the administration of the law by Jury Trial, if two more of the Lords of Session were appointed as additional Commissioners of the Jury Court, thereby making such Court to consist of the present Lord Chief Commissioner, with four Lords of Session: and they recommend this increase in the number of the Judges, not only in consideration of the increase of business which they have proposed should be devolved upon the Jury Court, but also, because the labour of preparing the causes for trial is proposed to be cast upon the Judges of the Jury Court in all the cases now to be sent to its primary jurisdiction; and, finally, because it may materially facilitate the final union of the benefit of Jury Trial with the jurisdiction of the Court of Session.

## OF PROCEEDINGS CONNECTED WITH APPEALS TO THE HOUSE OF LORDS.

IN the sixth and following articles of your Majesty's Instructions, the attention of the Commissioners is called to a variety of important questions connected with appeals to the House of Lords; and the Commissioners, in digesting the result of their inquiries and deliberations, propose to consider—

1. The causes in which the judgment of the Court of Session may be made final.

2. The mode in which consultations of the Judges ought to be conducted.

3. The expediency of an intermediate Court of Appeal. And,

4. The time and manner in which appeals should be laid before the House of Lords.

### I.—CAUSES IN WHICH JUDGMENT MAY BE FINAL IN THE COURT OF SESSION.

#### *Art. 6 of Instructions.*

The Commissioners humbly report, in answer to the sixth article of your Majesty's Instructions,—

1. That there are no causes in which, either from the small value of the subject in dispute, or from the description of the cause, the judgment of the Court of Session can, with advantage, be made final, where that judgment proceeds on or involves matters of law, with the exception of some matters in bankruptcy, touching the administration of the estate while under sequestration. But those cases will, the Commissioners think, be more properly distinguished and provided for in the renewal of the act for regulating bankruptcy in Scotland.

2. That in order to put a stop to litigation in causes originating in the inferior courts, so far as they may turn on matters of fact, the Commissioners humbly propose, that in all causes commenced in any court of inferior jurisdiction, or in the Court of Admiralty, above L.12, and under L.40 in value, in which causes a proof has been taken, the Court of Session should, in reviewing the judgment of such courts, wherever a question of law arises, distinguish clearly in their judgment the points of law decided, and also the several facts which they hold to be established. And the judgment of the Court of Session on the merits of the cause, in so far as the same depends on, or is affected by, the points of law specified in the interlocutor, should be subject to review by appeal to the House of Lords, as at present, while the facts stated in the interlocutor should be held as finally and conclusively ascertained and fixed by the judgment, as if the facts had been found by a jury in a special verdict; reserving, nevertheless, to the Court of Session, in reviewing the judgment of the inferior court, the power of sending such issue or issues to be tried by a jury, as to them shall seem fit, or to remit the cause with instructions to the inferior courts. And in case the Court of Session shall send any issue or issues to be tried, they shall give such directions with regard to the proof already taken, as the justice of the case shall require.

3. That in all cases commenced in any court of inferior jurisdiction of the value of L.40, or above, as soon as any order or interlocutor allowing a proof has been pronounced, (except a proof to lie *in retentis*, or diligence for the re-

covery and production of papers,) it should be competent for either party to remove such cause into the Court of Session, by presenting a bill of advocacy, which should be passed as a matter of course, without caution and without review.

4. That in case no such bill of advocacy should be presented, but the parties should proceed to proof under the interlocutor of the inferior court, they should be considered and held to have waived their right of appeal to the House of Lords, against any findings on the several facts in the case which may afterwards be made by the Court of Session in manner herein after mentioned.

5. That where any such cause shall be brought before the Court of Session, after proof has been actually taken, it is expedient that the Court of Session should, wherever a question of law arises, pronounce such separate findings in the law and on the facts of the case as have been before specified, with respect to causes above L.12, and under L.40, in value, which findings on the law ought to be subject to review by appeal, and which findings on the facts ought to be final and conclusive, in the same manner, and to the same extent, and with the reservation of the same power to the Court of Session, as has been before stated, with respect to the causes last above referred to.

## II.—OF CONSULTATIONS OF THE JUDGES.

### *Art. 7 of Instructions.*

THE Commissioners humbly report, in answer to the seventh article of your Majesty's Instructions,—

1. That when one division of the Court of Session consults the other, the judgment ought to be according

to the opinion of the majority of the whole Judges.

2. That the consultation ought to include as well the permanent Lords Ordinary as the Judges of the two divisions. In one or two cases where the House of Lords remitted to the one division to consult the other, without mentioning the permanent Lords Ordinary, (probably *per incuriam*,) the Court was doubtful, considering the special terms of the remit, whether to consult only the other division, without including the Lords Ordinary; but in all cases, where the order for consultation has originated with either division, the opinions of the Lord Ordinary have uniformly been required. And the Commissioners are humbly of opinion, that it ought always to be so; and that remits from the House of Lords ought also to bear that the Lords Ordinary should be consulted, as well as the other division. It may otherwise still remain a matter of doubt, whether the answer returned may not be contrary to the opinions of the majority of the fifteen Judges.

3. That these rules should hold not only where the division consulted has heard the pleadings in the Court, but also where a consultation is ordered on the printed papers, or where the opinion of the Judges is required on abstract points of law, as authorized by the 48 Geo. III. c. 151. § 10.

4. That the judgment should not be pronounced by the whole Court sitting, and giving their opinions together, as all the Judges did before the division of the Court, but the judgment should continue to be that of the division before which the cause depends, expressing, in the terms of the interlocutor, that it was given after consulting with the other Judges, and agreeably to the opinion of the majority.

### III.—OF AN INTERMEDIATE COURT OF APPEAL.

#### *Art. 8 of Instructions.*

THE Commissioners are directed to report, "Whether in all, or any, and what cases, there should exist an intermediate Court of Appeal?" On this matter they are of opinion, especially if the alterations they have recommended in the forms of processes and of pleadings in the Court of Session should be adopted, that it would not be expedient that there should exist an intermediate Court of Appeal.

### IV.—OF APPEALS TO THE HOUSE OF LORDS.

#### *Arts. 9, 10, 12, 13, of Instructions.*

UNDER the ninth, tenth, twelfth, and thirteenth articles of your Majesty's Instructions, the attention of the Commissioners has been called to several points very important in the view of diminishing the number of appeals from Scotland; and they beg leave to observe, that the alterations which they have already recommended will, in their opinion, tend to diminish the number of appeals to the House of Lords, by improving the means of separating the facts of a cause from the law involved in it, by settling conclusively, all matter of fact in the courts below, and by reducing the judgments which may be applicable to those on law alone. They beg leave, in particular, humbly to report,—

1. In answer to article ninth, relative to the abridgement of the time heretofore allowed for entering appeals to the House of Lords, that such a measure would not, in all

probability, materially diminish the number of appeals; for it appears, from a return in the appendix, that very few have been presented after the elapse of one, or at farthest two years from the date of the judgment appealed from; but it would nevertheless be expedient and beneficial, with a view to diminish delay and painful suspense, to substitute two years instead of five in the limitation of the ordinary time for entering appeals. The exceptions from the operation of the ordinary rule which are provided for the case of the person entitled to appeal being minor or *non compos mentis*, are unquestionably fit and necessary; but no such exception seems to be required for the case of the person entitled to appeal being *couverte*, or in prison, and in the case of the party being out of Great Britain or Ireland, it may be sufficient to allow a space of five years. The time ought to be computed not from the extracting of the decree, but from the signing the last interlocutor appealed from.

2. In answer to the tenth article of the Instructions, the Commissioners humbly report, that the practice of the Court of Session, ever since it was enabled by law to do so, has been to grant interim execution pending an appeal to the House of Lords, in every instance in which it could be done consistently with the regard due to the interest of the appellant in the event of the decision being reversed.

The Court makes no distinction as to the description of causes, except with reference to that interest. This consideration necessarily excludes interim execution in all causes involving personal *status*, such as questions of marriage, divorce, or legitimacy, and renders it in general very inexpedient in the removing of tenants from farms where great confusion and hardship



would almost generally be occasioned by any temporary and precarious alteration of the possession.

By a return made by the Clerks of Session, it appears, that between 1808 and 1823, the number of causes in which interim execution was granted by the first division of the Court, is fifty-eight, and by the second division sixty-seven.

Some of those related to costs only which the Court sometimes grant, though they refuse interim execution as to the subject or sum in dispute.

The Court has never granted interim execution either in relation to the subject in dispute, or to costs, without requiring the respondent to find security to indemnify the appellant in case the judgment should be reversed. This is commonly offered by the respondent in his petition for execution, and the Commissioners are humbly of opinion, that the interest of the appellants cannot be provided for by any other means in the event of the judgment being reversed.

By the above-mentioned return it appears, that in twenty-five instances interim execution was refused, and that there was eight in which execution was partly granted and partly refused.

3. In answer to the twelfth article of your Majesty's Instructions, the Commissioners are humbly of opinion, that when any cause is carried by appeal to the House of Lords, each party should lay before the House a certified copy of the whole records, both of the facts and law upon which the Court below has pronounced the judgment appealed against, in the same shape and form in which such record was presented to the Court below. And, in order to carry this regulation into effect, it would be advisable to substitute, instead of such cases as are delivered

at present to the House of Lords, a printed copy of the cases which may have been laid before the Court below; and where no cases have been so laid before the Court of Session, then a printed copy of the summons, defences, condescendence, answers, notes of the pleas, proofs, or such parts thereof as shall be necessary. And that to this printed copy the parties shall be at liberty to annex a supplementary statement containing an account of the further steps which have been taken in the cause since the former cases were prepared, the interlocutors, or parts of interlocutors complained against, and a summary of such additional reasons in the form now used in the House of Lords, as circumstances may render necessary. And the Commissioners are of opinion, that an order of the House of Lords that cases shall in future be delivered to the House upon the plan and principle above suggested, will be beneficial in creating greater care in the original preparation of the cause before the Court below, and in preventing the parties from bringing under consideration of the House, new facts and new pleas in that stage of the proceedings.

4. That the present regulation of the House of Lords, in relation to giving costs ought to be extended, so as to admit of giving the amount of the costs as taxed, which, in their humble opinion, would be consistent with justice to the litigants, and productive of advantage to the public in discouraging frivolous and vexatious appeals.

5. That after due inquiry, the Commissioners humbly report as to the statement of the grounds and reasons of judgment in the interlocutors of the Court of Session, 1st, That by the uniform practice of that Court, the reasons, arguments, and authorities on which the Judges pro-

ceed in deciding causes in the Inner House are delivered in open Court, and cannot in general be abridged as to be embodied in the interlocutor; 2d, That according to the ordinary practice of that Court, wherever there is reason to apprehend that the ground on which the judgment proceeds may be mistaken, the Court is in general careful to express in its interlocutor the facts or propositions in law on which the cause turns; and the Commissioners are of opinion, that this course ought to be adhered to as far as practicable.

In like manner, when separate grounds of action are libelled in the summons, it does not seem advisable that the Court (in cases where it can be avoided) should decree generally in terms of the libel, if they are of opinion that some of the grounds libelled on are unfounded. In such cases, the Court should pronounce several findings applicable to the grounds which they sustain as relevant, and on these give judgment.

So, when a variety of defences are pleaded, and the Court holds some of them to be unfounded, the interlocutor should not sustain the defences generally, but ought to specify those defences which the Court does sustain, and then draw the conclusion to assolvie the defender.

It appears, that the Court of Session has hitherto endeavoured to regulate its practice in framing its judgments in conformity with the above rules, although cases may have occurred in which the form of the interlocutor has been different; as, for example, where a majority of the judges cannot agree in the *expression* of the *ratio decidendi*, although, in the general result, their decision of the cause may be unanimous. And in such case, it is conformable to the law and practice of Scotland that judgment shall be pronounced without

analysing or specifying the grounds on which it proceeds.

The Commissioners are of opinion, that the observance of the above general rules will be greatly facilitated by the regulations which have been suggested in regard to the forms of process, and may henceforth be more strictly and easily observed.

(The Commissioners finally report the practice in relation to costs.—They make some observations relative to inferior courts, recommending, that their decision shall be final in all cases not exceeding twelve pounds value. In regard to prize jurisdiction they recommend, that it should be confined to the Court of Admiralty in England.)

#### REPORT ON THE STATE OF THE DISTRICTS OF IRELAND THAT ARE UNDER THE INSURRECTION ACT.

*The Select Committee appointed to examine into the nature and extent of the Disturbances which have prevailed in those districts of Ireland which are now subject to the provisions of the Insurrection Act; and who were empowered to report their opinion thereupon, from time to time, to the House—Have, pursuant to the Order of the House, examined into the matter to them referred, and have agreed upon the following Report:—*

Your Committee, in the execution of the task imposed upon them by the House, have thought it their peculiar duty, in the first place, to inquire into the necessity of a farther continuance of the Insurrection Act; for this purpose they have called before them persons, who appeared well qualified to give information as to the nature and extent of the disturbances

which gave occasion for the Act ; the degree in which those disturbances still exist, and the effect which the Act has had in checking disorders in those districts to which it has been applied. Your Committee have extracted from their minutes, such portions of the evidence of those persons as appeared most important ; and have added them as an Appendix to this Report.

Your Committee could not approach the consideration of this subject without the most anxious solicitude. They could not view, without the deepest concern, the disorders by which several parts of Ireland have been agitated ; nor have they disguised from themselves, how widely the provisions of the Insurrection Act depart from the true and fixed principles of the constitution ; great, therefore, would have been their satisfaction, if the result of their inquiries had shewn such a general and permanent restoration of public tranquillity as would have justified them in recommending to the House to permit the Insurrection Act to expire. But such, unfortunately, has not been the conclusion at which they have arrived ; and it is with the deepest regret that they feel it their duty to submit to the House their opinion, that the Act ought to be continued for another year.

This opinion is founded, not only upon their own judgment of the evidence received by them, but upon the concurrent testimony of all those witnesses examined by them, who have been employed in administering the provisions of the Act.

These persons have all declared, that the safety of the country, the security of property, and the protection of the loyal and well disposed, absolutely depend upon a farther continuance of the powers given by this

Act ; and that such also is the decided conviction of the magistracy and gentry in the counties in which the disturbances have prevailed, and of all those of the middling classes who do not expect to benefit by the continuance of a system of disorder.

The character of the disturbances, and the nature of the outrages committed, appear to have been similar in most of the districts affected,—they consist in sending threatening notices, administering illegal oaths, houghing cattle, seizing arms, burning houses, and committing murders, and many of these crimes have been committed within a very recent period.

At the same time that your Committee have considered the necessity for continuing the Act, they have felt it their duty to inquire into the manner in which it has hitherto been administered ; and they have the satisfaction to report, that the powers which it confers, have been exercised with as much mildness as was consistent with a due regard to the suppression of disorder. It is stated to your Committee by the King's Counsel, who have resided at the sessional courts established under the Act, that the attendance of the magistrates of those courts has been regular and full, and their conduct uniformly impartial : that in all cases of legal doubt, the magistrates have received the interpretation of the law from the presiding counsel : that no man has ever been brought to trial before these courts, until he had declared himself ready to go to trial : that every advantage has been given to the prisoner, and every opportunity afforded to him to examine any of the witnesses, either for the defence or prosecution, during any part of the proceedings ; and that the strict rules of evidence, though invariably enforced with re-

spect to the prosecution, have been frequently relaxed in favour of the prisoner.

The cases of the several persons convicted, have also been regularly submitted to the revision of the Lord-Lieutenant previous to the execution of the sentence, and the mercy of the Crown has been extended, not only in all cases where there was any reason to doubt the propriety or justice of the original sentence, but in others also where no doubt existed, whenever the state of the country was such as to admit with safety the exercise of mercy. And your Committee feel it their duty to state, that much of the severity of the law has been mitigated by the unceasing vigilance with which the Lord-Lieutenant of Ireland has watched over the execution of its enactments.

Some doubts appear to have been entertained, whether magistrates possess the power which they have nevertheless occasionally exercised, of bailing persons committed for trial under the Insurrection Act. Your Committee are of opinion, that such a power exists under the law as it stands; they recommend, however, that a discretionary authority should be given to magistrates, either to admit, or to refuse to bail; but that such discretion should not be exercised by any magistrate acting singly.

Your Committee would also recommend, with a view to a determination of the expense to which the Act gives rise, that the attendance of the assistant barrister at the special sessions, should in future be dispensed with.

Your Committee have forborne, in their present report, to enter into any investigation of the various and complicated causes which have made particular districts of Ireland the theatre of disturbance. Such an inquiry is far too extensive to have been com-

pleted in the short period which has elapsed since the appointment of your Committee—nor could they hope to conclude it in what probably remains of the present session.

They consider it, however, their duty, to pursue this important and interesting investigation; and they strongly recommend to the House, that this inquiry should be resumed at the earliest practicable moment in the next session of Parliament.

31st May, 1824.

*From the Evidence of Francis Blackburne, Esq.*

Are not you one of the King's counsel appointed to administer the Insurrection Act?—I am.

In what county?—In the county of Limerick, the county of the city of Limerick, and the Baronies of Buncalty and Tulla in the county of Clare.

When did you first commence the administration?—In the latter end of April, 1823.

What was the character of the disturbances which then prevailed? Will you state that to the Committee?—At the time I am speaking of, the character of the outrages had been in some measure mitigated, indeed materially mitigated; because, from the time I went to Limerick to the present period, I do not think there was a single murder from insurrectionary causes; but the houghing of cattle, the burning of houses, and the sending of threatening messages, and posting of threatening notices, were all of common occurrence in that part of the country which I have before described. But I beg leave to except the northern part of the county of Limerick, and the county of the city of Limerick, from these observations: very few outrages have occurred since my appointment.

Do you think the outrages committed were, generally speaking, pre-

meditated, or were they the offsprings of some sudden impulse?—At the time I am speaking of, namely 1823, I should think that they were seldom premeditated by combined numbers of persons; I think they were, in general, stimulated by some personal motive, or something which was felt as acts of aggression by the parties who committed them.

Was there a general confederacy amongst those persons who were concerned in those outrages, or were they committed by a combination of persons who were distinct from each other, and having no general knowledge of the plans of those persons?—There were few outrages committed by a combined force. In fact, the Insurrection Act had, in my judgment, destroyed the power of combination, but it left the persons who had been engaged in combinations as badly disposed, and as liable to sudden irritation, and consequently as prone to the commission of these acts, apparently of an insurrectionary character, as they ever had been.

Who were the principal objects of attack by the persons who disturbed the peace?—Generally speaking, the property of the landlord who had disclaimed or ejected a tenant, or the property of the tenant who had succeeded the former occupant.

Were those outrages confined to persons immediately interested in the change of property, or to their connexions; or did they procure others under their direction, to make an attack on any particular species of property?—That question is extremely difficult to be answered. From the time I went to Limerick to the present hour, there has been scarcely an instance of the detection and punishment of any of the numerous offences which were perpetrated, and which were capable of being committed by a single hand. The burning of a

house, hay, and corn, can be committed with secrecy, and by a single hand; the houghing of cattle, and posting threatening notices, are also acts not requiring combination or force, and I am sure those outrages in general have been committed by individuals; my reason for that opinion is, that wherever crimes have been committed by combined force, the criminal law has been perfectly executed, and persons have been discovered and brought to justice; and I do not apprehend that any country can exhibit an instance in which its criminal law has been more successfully executed, in all cases where more than one person has been engaged in the commission of an outrage, than in the county of Limerick.

Did it frequently come within your knowledge, that persons were invited from a distant part of the country to join others who had suffered from these ejectments, or transfers of property, in order that, by not being known, they might escape the chance of detection?—No; the only instance in which strangers appear to have been invited, was that of an attack on the 29th of April, 1823, upon a village called Glanisheen, which is upon the Cork border; and the persons who committed that outrage were principally from the Cork side, which was at that time very much disturbed indeed.

Do you remember the attack upon the village of Glanisheen?—I do.

When did that outrage take place?—I think upon the 29th April, 1823.

What number were concerned in it, as far as you have the means of ascertaining?—I should think from fifty to one hundred.

Were they armed?—They were armed.

Were they in any disguise as to their persons?—Not that I have heard.

In an attack where fifty or a hun-

dred persons are brought directly together, there must, of course, have been some previous concert: would you not think that the attack was concerted beforehand?—I can only answer from what I have seen in the newspapers. It appears that a party was formed on the Cork side in the neighbourhood of Charleville; the different bodies met by previous concert, and approached this village, in which there was a police stationed. The police were aided in keeping guard by some of the persons of the village. It was known that the patrol had quitted the village at a particular hour, and the attack was made during the absence of the patrol. There were a great number of shots fired, and the police and their assistants would probably have been overpowered, if they had not been relieved by a body of the military. On the approach of the military, the insurgents fled.

Was the attack directed against the inhabitants of the village, or against the police stationed there?—Against the police, and the houses of persons who inhabit that village, who were, I believe, as active as the police in the preservation of the peace.

Do you happen to know whether they were Protestants or Roman Catholics?—I believe they were all Protestants: they were Palatines.

How long have they been settled in the country?—They have been settled, I believe, seventy or eighty years.

Were the Palatines the objects of attack, or the police stationed in the village?—I apprehend both.

Were the policemen Palatines?—I believe not; I believe not one; I suppose the attack was to get rid of the police, most likely. So it appeared to me.

Explain what you mean by Palatines.—They were the descendants of a number of families, which, about

seventy or eighty years ago, had been brought from Germany, and been settled in villages.

Were they German Protestants?—I believe they were all Protestants.

They are settled in this part of Ireland?—They are settled in that part of Ireland, some of them at Adair; if I mistake not, I think there are two or three villages called Palatine villages, and I am sure there are some of those people at Adair.

When you stated that the attacks and outrages were not premeditated, do you mean to say, that the outrages were not in consequence of something that happened during the attack for predatory purposes, or that you only meant to say it had not been premeditated for any length of time before, and only in consequence of some immediate object of distress?—Speaking of this particular outrage, I have no doubt, from what I have read, that it was an act of very mature premeditation. But, generally speaking, I believe the outrages were not long premeditated, nor the result of concert or combination. I can, however, mention two instances more, which appear to me to be instances of combined outrages, that have occurred in my time, if the Committee wishes.

What was the object of attack, as you conceive; was the attack to get rid of the police, or was the object to attack the Palatines?—I believe the object was to destroy the establishment, and then to get possession of the arms; and I have no doubt that they would have willingly put to death every man that resisted them without distinction. They were armed, and fired a great number of shots.

*From the Evidence of Maxwell Blacker, Esq.*

What, in your opinion, has been the effect of the Insurrection Act?—

The good effect of the Insurrection Act in Cork has been greater than in any other part of Ireland that I have heard of, for I conceive that in 1822, there was no part of Ireland in a state of so great disturbance as that part comprising four baronies of the county of Cork, and since that it has been reduced to a state of comparatively great tranquillity. About Cork the country has become perfectly quiet: I have not had a prisoner to try for, I think, four months, from the liberties of the county of Cork. About Fermoy it is also nearly quite tranquil, but the disturbances still remain about Mal-low and the district about it, comprising Kanturk, Newmarket, Bultevant, Doneraile, and Kildonery; the fact is, they prevail more or less still in all that narrow district of country which extends from Newmarket and Kanturk upon the west; on the Kerry side to Tipperary, and Waterford upon the east; which is bounded by the Blackwater upon the south, and by Limerick upon the north; but I conceive even in that part the state of the country is very considerably improved; which improvement, I think, commenced about three or four months ago, and, with some occasional interruptions, has continued since.

Do you think it would be possible to relieve that country from the operation of the Insurrection Act?—From that part of it I conceive quite impossible, with any regard to the safety of the country. I think the rest of Cork, if there was no other part of Ireland disturbed, might be relieved from the operation of the Insurrection Act; all the west, and south-west of Cork, all about the city of Cork itself, might be relieved from it, as far as I can judge at present; but I cannot say, that if the disturbances should rage in other adjoining parts, the flame would not com-

municate there again. The species of disturbance, I should mention, that has prevailed, and almost the only species of disturbance in the south-west of Cork, since I have been acquainted with it, has been the rescuing of distresses, and opposing the collection of tithes; but there has been very little burning or premeditated murders, and but few notices served, or few cattle houghed in it. I think the effect of the Insurrection Act has been found very exemplary in putting down the rescuing distresses in that part of the country. It is that clause in the Act of Parliament for punishing unlawful and tumultuous assemblies which has had such desirable effect, though it has been administered very sparingly, and never but in urgent cases; such, for instance, as bodies of men going in large parties to carry off goods distrained. An instance of such assemblies occurred in the neighbourhood of the city of Cork, where information happened to be given, in consequence of a keeper, who was put upon some corn that had been distrained, receiving intelligence from a friend of his who was to be of an attacking party, to beg of him not to be in the way on a particular night, for that something would happen; and he was afterwards told by his friend there would be an attack upon him that night. He gave information to the person who had distrained; the consequence was, that a magistrate went out with a party of military, knowing the place of rendezvous. They lay in wait, and succeeded in taking fourteen of the party; notwithstanding that, in another direction upon the same farm, whilst they were occupied in taking up those men that were coming, the keepers were attacked, severely wounded, and beaten into a house; the result was, that

the party took up fourteen of them ; and it appeared on evidence at the trial, that a party amounting to fifty, or sixty, or seventy people, had, from all quarters, to the distance of seven, eight, or ten miles, come to that place of rendezvous ; and, after the fourteen men of this party had been taken up, carts and cars arrived for the purpose of carrying away all the corn. In that case these fourteen men were prosecuted, under the Insurrection Act, for being out at night, and they were convicted. It turned out, on inquiry, that these men were really men many of them of most excellent character in the country, and situation in life, and mercy was extended to a great number of them ; the only person who was not pardoned was the person who was interested in bringing them together ; the man whose corn was distrained. The result of that was, no other instance occurred in that district of a similar proceeding afterwards ; and for the last four months since that, which I believe was the last trial I had from that part of the country, there has been no trial for any outrage of that, or any other kind, in the liberties of the city of Cork. I had a trial of a similar kind at Bandon, and two more, I think, of a similar kind, in other parts of the west of Cork. The result of these trials has been, there have been convictions in them all, I think, which have put down, in a great measure, that sort of offence.

Will you describe to the Committee the course of proceeding in a trial under the Insurrection Act ?—The information is returned to the clerk of the peace ; that information operates as an indictment of the prisoner, when brought to the bar ; it is required of him, first, Whether he is ready for his trial ; and I will mention, that, in no case, from the beginning of my acting in either of these countries,

have I ever put a man on his trial who did not say he was then ready for it ; and I never refused to put off a trial for a man, and I even never required him to make an affidavit for the purpose. I do not say I should do it in every possible case, but hitherto I never even required an affidavit of circumstances to shew that he was not ready for trial ; and never, in any one case, put a man on his trial till he said he was ready to be tried, and preferred being tried then to being tried at any other time. When called upon his trial, the witnesses are then produced, and they are examined in the Court from the information ; then the magistrates, if they see that anything has been omitted in the course of the examination, or anything necessary to satisfy us wanting, examine the witnesses also. Then the attorney for the prisoners,—for they generally have an attorney,—cross-examines the witnesses. After his cross-examination is over, the magistrates, if they think it necessary, examine the witnesses again ; then the witnesses for the prisoner are examined ; and I have always thought it necessary, it being a very penal law, and have always admitted at any time, even after we have retired to consider of the case, after the examination has been closed, the attorney concerned for the prisoner to call back the witnesses to examine them again, whether they are the witnesses for the prosecution or for the defence ; and I have, in every possible way in my power, endeavoured to give the prisoner every advantage. After the examination of the witnesses is over, if it is a case which is perfectly clear, I consult on the bench with the assistant barrister and the magistrates, and if they are all unanimously of opinion that there should be an acquittal, the prisoner is immediately acquitted. If any difficulty



arises, or any individual magistrate thinks there is a difficulty, and wishes for a consultation upon it, we retire uniformly into the chamber, and in the chamber I give them a short charge, directing their attention to what is the point in issue in the case, and explaining the law, when explanation appears to me to be necessary, as applicable to the case. I have always found the magistrates in both counties ready to listen to my view of the law, and to take my recommendation, where the offence does come within the strict interpretation of the law, as to the impolicy of literally carrying it into effect against a prisoner, where the case does not seem to call for it. Perhaps it will be wished that I should mention some clauses of the act of parliament which are never or seldom put into force at all. There is a clause which is very imperative in its terms, That all persons found in a public-house after nine at night are subject to transportation—that I have never, in any instance, carried into effect. At first we were very much perplexed what to do, for they are so improvident, so rash, that we found it would be a desperate effort to transport persons (fourteen and fifteen in number at a time) who have been tried before me for being in a public-house at night, where it was obvious to every one it was nothing but the effect of rashness, and when the state in which they were precluded them from doing any mischief. In those cases I have never applied the act, not giving up, however, the right to put the act in force, when there was evidence of the assembly being for the purpose of carrying into effect any of their plans. I always kept that in reserve,—that if it appeared to the magistrates they were doing anything bad, anything tending to the disturbance of the country, the act would be strictly

carried into effect, and that they ran that risk in doing so; and, at all events, suffered the inconvenience of being brought to trial, though they were acquitted of it. There is another clause in the act for tumultuous assemblies in the day-time, which I will mention, that has been, and may be, carried into operation, with great advantage to the public, in preventing rescues of cattle and opposition to the collection of tithes; but that has never been carried into effect, either to the extent, or in the cases, which the act of parliament literally empowers us to do, for a tumultuous and unlawful assembly is, in its legal meaning, one of the mildest offences against the law. An unlawful assembly may even be for the purpose of accomplishing by force that which is a lawful object; in that case, unless the peculiar disturbances at present seem to be the object of the unlawful meeting, the clause of the act of parliament has not been carried into effect.

In taking the evidence on the trial, did you adhere to the strict legal rules?—Always on the part of the prosecution; but there has been a liberality, perhaps not justifiable, allowed to the prisoner.

Have you ever found any cases of great hardship from that strict adherence, and those cases frequent?—No; we have always allowed a relaxation of the rules to prisoners, but I have always held the prosecutor to strict proof. I will give an instance which occurs to me at the moment. The prisoner wants to establish a fact which appears to have been in writing, and does not bring the writing there; the laws do not permit the contents of it to be given in evidence without producing the paper. I have, in cases where it was important to the prisoner he should examine into the contents of it, suffered him to do

so, when I have not allowed the same indulgence to the prosecution. The case has sometimes occurred. There is an instance of it where arms have been called for. It is a part of the offence, that arms shall be denied to a person that is authorised to ask for them, and that authority must be in writing. It has sometimes happened, and in more than one case, that the party did not bring his written warrant, thinking that he might state the contents of it. In a case of that kind, persons, against whom the offence was made out in all other respects, have been acquitted.

Have you ever had a case before you, where the absence has been for so short a time, that it could not be for a seditious purpose?—I cannot say that I have ; but I have had cases very closely bordering upon it : for I have had a case before me, where the person was out, and where the defence made was, that he was out, two or three fields off, looking after some cattle or horses, or after sheep that were straying. I have had a case of that kind sometimes before me. But it is a very short time that is sufficient for insurrectionary purposes ; for one of the greatest and most frequent outrages we have, is burning the houses of persons who are not their friends ; and a person can very quickly run out of a house with a half-burnt turf in a kettle, run across two or three fields, put it into the thatch, and run back again.

To what circumstance do you attribute the large disproportion between the number of commitments and the number of convictions?—That is, I think, easily answered, from the nature of the clause under which the great majority of all the convictions have been made ; that is, the clause which is made for the purpose of keeping persons within their houses at night. The crime there, is being

out of the house at night without a proper occasion ; and it is *prima facie* evidence of that crime, that the man is found out of his house on its being examined at night. It lies then upon the person who will not stay within his house, according to the proclamation calling upon him to stay within his house, to furnish to the Court a proof of innocence. Now, it is impossible, when persons are found out at night, to vest the power of the Court in the person who takes him up ; and, therefore, the person who does rashly, when the act requires him to stay within, go out, is brought in for trial, and in many cases he establishes a lawful and proper excuse. I should mention, that in order, to obviate the inconvenience arising from the rashness of persons going out at night, in fact without what may be strictly called a proper excuse, it has been found necessary to adopt two measures :—one of them was, to admit a man to bail whenever it appeared to the magistrates that there was reason to expect he would be acquitted ; and that was done with more safety afterwards to the public when petty sessions were established, and they were brought before petty sessions. The case was there inquired into, and the circumstances ; and the petty sessions sometimes discharged the man altogether when it appeared to be quite a plain case ; and, unless there was strong appearance of guilt, they generally admitted him to bail.

Has it not come to your knowledge, that persons of the worst description in the county, of notoriously bad character, have been found out of their dwellings, and therefore violated the law ; and upon that ground, and that ground alone, been tried?—Instances of that description have happened, no doubt of it. By the Insurrection Act, persons absent from their houses at an hour prohibi-

ed by the Act, are bound to shew that they were absent on their lawful occasions. The great majority of the people who were tried before me, merely upon the charge of being absent from their houses, either shewed the innocent occasion of such absence, or else they shewed it by fair inference,—that is, by evidence of good character,—which rendered it nearly impossible that they should have been engaged in an insurrectionary pursuit, and, in consequence of such evidence, were acquitted by the magistrates.

At the moment when sentence of transportation is passed, must not the feeling among the people be, that so severe a punishment ought not to be inflicted for so trivial an offence as absence from a dwelling, perhaps through inadvertence; must not that be extremely injurious to the country?—I think it must make a very serious impression upon the country, if the magistrates were to convict persons for mere absence from their houses, occasioned by inadvertence; and if a conviction of that description had taken place, I should certainly have applied to the government of the country for the pardon of the convict.

Did you never hear a burst of peculiar dissatisfaction arise from the crowd, upon sentence being passed on a man who was absent from his home only; it not being proved that he was guilty of any insurrectionary crime?—I recollect, on one occasion, upon a trial at Mallow of six or seven prisoners for being absent from their dwelling-houses, situate in a neighbourhood in which some flagrant offences were committed, that a considerable murmur took place on their conviction; though the absence of the prisoners from their houses was on the same night in which private property had been consumed by fire, and no satisfactory account was given

of such absence. But I do not recollect any other instance of such an effect being produced, by a conviction under the Insurrection Act for the offence alluded to.

Do the provisions of the act, which confine persons to their own habitations, press with greater severity upon the industrious and well-disposed, or upon the turbulent part of society?—The peaceable part of society are protected against the turbulent by the operation of the Insurrection Act; but, in order to secure that protection, they must submit to the inconvenience of remaining within their houses within the hours prohibited by the Insurrection Act. And I think it is quite essential to the protection of the peaceable and well-disposed, that the government should be entrusted with the power of putting the Insurrection Act in force, or not, according to the state and exigences of the country.

#### REPORT OF THE SELECT COMMITTEE OF THE HOUSE OF COMMONS ON MARINE INSURANCE.

IN a country where commerce, in all its various branches, has been carried to such an unexampled extent—where we have so much of the produce of our soil, and of our industry, to exchange for that of the rest of the world—and, from our insular situation, so much to exchange among ourselves, by the navigation of the seas—and where the most perfect and improved mode of this circulation is so much connected, not only with the comforts of individuals, but, through the revenue, with the safety of the state—no subject can be of more real and extensive importance than that which has been referred to your Committee.

Duly impressed with this opinion, they have collected such evidence as they thought best calculated to inform them of the present state of Marine Insurance in the country, and to guide their judgments as to any measures which it might be expedient to recommend to the House. The minutes of this evidence accompany this Report; and your Committee, in submitting to the House the opinions which, after the most diligent investigation, they have formed, and the resolutions to which these opinions have led them, proceed to consider the subject in the following natural order:—

I. The nature of the exclusive privilege conferred upon the Royal Exchange Assurance and the London Assurance Companies, and the manner and extent of its exercise by those Companies.

II. Its effects upon Marine Insurance, and the state of, and means of effecting, Marine Insurance in this country.

III. The importance of a better system to the commerce and revenues of the empire, and to all parties concerned.

*1. The Nature of the Exclusive Privilege, and the Manner and Extent of its Exercise.*

The act of the 6th George I. c. 18, provides for the incorporation of the Royal Exchange and London Assurance Companies, for the purpose of effecting marine insurances, to the total exclusion of all other corporations or bodies politic, and all societies and partnerships whatsoever; who are “restrained from granting, signing, or underwriting, any policy or policies of insurance, or making any contract for insurance of or upon any ship or ships, goods or merchandises, at sea, or going to sea,” sect. 12.

The legislature, however, even of those times, when political economy was imperfectly understood, apparently distrusting the policy of the extraordinary privileges thus granted, provides for their termination at any period within the thirty-one years next ensuing, on giving three years’ previous notice, and repayment of the moneys which each of the companies advanced to government; and, after the expiration of the said thirty-one years, a power is reserved to repeal those rights, without any previous notice or any repayment, if they should be judged hurtful or inconvenient to the public; but with this declaration, “That the same corporations, or any corporation or corporations with the like powers, privileges, benefits, and advantages, shall not be grantable again to any persons or corporations whatsoever, but shall remain suppressed for ever, as having been found inconvenient and prejudicial to the public.”

The sum which each company engaged to pay government was L.300,000. but they were severally excused the payment of one half thereof by another act of Parliament, (7th Geo. I. c. 27, sect. 26); from which it appears, that each of them had obtained a separate charter for the assurance of houses and goods from fire, but without an exclusive privilege.

Thus neither company paid more than L.150,000 to the public, of which sum L.38,750 was the consideration of their fire assurance charter; so that, in truth, neither paid for their exclusive privilege more than L.111,250.

The exclusive privilege of the two companies rests, therefore, altogether upon the 6th Geo. I. c. 18, which provides for its determination in the manner which has been stated.

It appears indisputable, that the

companies having possessed their exclusive privileges more than twice the period of time for which they paid any valuable consideration, no claim can be set up for their continuation, should the House be of opinion that the existence of such privileges are, according to the words of the act, "hurtful or inconvenient to the public."

From the sequel of this Report it will appear, that this is decidedly the opinion of your Committee; and should the House adopt their recommendation, to repeal the exclusive privilege of the two companies, but to preserve to them unimpaired all their other chartered rights, there is every reason to believe, that this necessary sacrifice for the general good can be attended with little, if any, injury to the companies themselves, as it is not probable that their marine insurance business will be diminished below that very limited extent to which they confine themselves.

It is not necessary for the present purpose of your Committee to animadvert upon the several inconsistencies of the act by which the two companies were incorporated, nor to discuss the question, whether the House should hold itself bound, by the very singular restriction of the rights of future Parliaments, to grant such powers and privileges to any companies hereafter as might be abrogated from those now existing, because your Committee could not recommend to the House to grant the same exclusive privileges to any company.

The motives which induced the legislature to grant these privileges in 1719 are set forth in the preamble of the act; which, among other things, recites, "That it is found by experience, that many particular persons, after they have insured large premiums, or consideration moneys, for or towards the insuring ships, goods,

and merchandise at sea, have become bankrupts, or otherwise failed in answering or complying with their policies of assurance, whereby they were particularly engaged to make good or contribute towards the losses which merchants or traders have sustained, to the ruin or impoverishment of many merchants and traders, and to the discouragement of adventurers at sea, and to the diminution of the trade, wealth, strength, and public revenues of this kingdom.

"And whereas it is conceived, that if two several and distinct corporations, with a competent joint stock to each of them belonging, and under proper conditions, restrictions, and regulations, were erected and established, for assurance of ships, goods, or merchandises, at sea, or going to sea, exclusive of all or any other corporations or bodies politic already created, or hereafter to be created, and likewise exclusive of such societies or partnerships as now are, or may hereafter be, entered into for that purpose, several merchants or traders, who adventure their estates in such ships, goods, or merchandises, at sea, or going to sea, (especially in remote or hazardous voyages,) would think it much safer for them to depend on the policies or assurances of either of these two corporations, so to be created and established, than on the policies or assurances of private or particular persons."

On inquiring into the manner and extent of the exercise of these rights by the companies, it appears evident that the intentions of the legislature have been wholly disappointed. Whether these companies have, as companies are very apt to do, degenerated from their original principles, it is certain that at present, instead of relieving the merchants, as the act supposes they would, from the insolvency of individual underwriters, the whole of

their transactions are insignificant, when compared to the general insurance business of the country; and that, instead of affording that relief, as the act again supposes they would, "especially in remote and hazardous voyages," it appears that both companies seldom insure risks of this description. The chartered companies do not insure quite four parts out of one hundred of the insurances of Great Britain; so that, for the remaining ninety-six parts, the merchants continue exposed to all the consequences from which the act of Parliament would relieve them.

From the return made to your Committee of the gross amount of value insured on sea risks by the two companies for the last five years, it appears, that the average for those years amounts, for the Royal Exchange Assurance Company, to L.3,720,000; and for the London to L.1,452,000.

The amount insured by the London Company would be hardly more than a single mercantile house might require; and both added together would not exceed what two of the most considerable individual underwriters would write in one year.

That the extent of the insurances done by the companies does not amount to four parts in one hundred of the total insurances effected in Great Britain, is apparent from an account which has been laid before your Committee, of the gross amount of the stamp duties paid upon policies of marine insurance for the last nine years. In the year 1800, the gross amount of those duties was L.113,442, 18s.; of which L.4,076, 7s. 6d. was paid by the Royal Exchange Assurance Company; L.1,279, 7s. 6d. by the London Assurance Company; and L.9,216, 5s. 8d. by Scotland. In the last year, the gross amount of these stamp duties, for the metropolis and

for Scotland, was L.348,592, 1s. 10½d.; of which L.8,209, 1s. 3d. was paid by the Royal Exchange Assurance Company, L.4,729, 15s. by the London Assurance Company, and L.17,136, 8s. 9d. by Scotland.

It is evident, that the commerce of the country has very much outgrown the capital, and the whole system upon which these companies were originally founded. But, to clear up this part of the subject, it may be proper to submit some estimate of the insured and insurable property at the present time, compared with the period of the establishment of the chartered companies.

From an account laid before your Committee, it appears that the total tonnage of British registered vessels in the year 1778, (being the earliest period at which the same can be made up,) was 1,363,488; but the tonnage of such vessels in the last year amounted to 2,368,468.

The exports and imports in the year ending 1719 amounted only to L.12,202,215; but, in the last year, they amounted to L.80,708,823 of official value, exclusive of the imports from the East Indies and China.

The extent of the trade and commerce of the empire at the present period will further appear, from the number of ships and vessels cleared outwards and inwards for the last three years. The total number was no fewer than 37,607.

The total amount of the sums insured by the Royal Exchange Assurance Company, in the last year mentioned, is L.3,905,755; and the total insurance effected by the London Assurance Company in the last year amounted to L.2,250,000.

But the total sum insured in Great Britain in the last year amounted to L.162,538,905, as will appear from the following statement:—

The amount of the 5s. stamp duty in the city of London, in the year 1809, was	
L.311,787, consequently there was insured to the amount of	L.124,714,800
The amount of the 2s. 6d. duty was L.19,577, consequently there was insured to the amount of	15,763,600
The 5s. and 2s. 6d. duties are not distinguished for Scotland; but the total amount being L.17,136, if the same proportion be taken that the 2s. 6d. duty bears to the 5s. duty in England, (that is, about L.7 per cent,) this will leave of 5s. duty for Scotland L.15,844, consequently there was insured to the amount of	6,360,600
And this will leave of 2s. 6d. duty the amount of L.1,241, upon which there must have been insured	992,900
No return has been made of the stamp duties on marine policies in the parts of England exclusive of the metropolis, the distributors not having distinguished them in their returns to the head office; but, supposing them to be double those of Scotland, this will give insured by the 5s. duty	12,721,200
And by the 2s. 6d.	1,985,800
Total sum insured,	L.162,538,900

Large as this sum is, it amounts to little more than one half of the sum that might have been insured in Great Britain in the last year, as will appear from the following estimate:—

The amount of the imports for the last year was	L.30,406,560
the exports	50,301,763
Official value	80,708,823
(Exclusive of the imports from the East Indies and China.)	
Difference between real and official value, say L.50 per cent,	40,354,421
	L.121,063,244

Tonnage of British vessels for the year 1809, 2,368,468 tons, at L.10 per ton,	23,684,680
Freight, at L.5 per ton,	11,342,340
Tonnage of foreign vessels, 1,459,046 tons, at L.20 per ton,	29,180,920
Freight, at L.10 per ton,	14,590,460
Difference between the tonnage of British vessels cleared inwards and outwards (3,070,725) for the year 1809, and the tonnage (2,368,468) of registered British vessels for the year 1809, being 702,257 tons, at L.10 per ton,	7,022,570
Freight, at L.5 per ton,	3,511,285
Value of goods carried coastwise, say one half of the exports and imports,	60,531,622
Value of foreign adventures upon British capital, Irish insurances, American and other foreign insurances effected in Great Britain,	50,000,000

Total that might have been insured, exclusive of imports from the East Indies and China,	} L.320,927,121
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If the above statement be correct, (and it is conceived not to be overstated,) the total sum that might have been insured in Great Britain, in the last year, was L.320,927,121  
 But the sum actually insured was only 162,538,900

Leaving a sum uninsured to the amount of	L.158,388,221
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Whether the proportion is taken from the stamp duties, or the amount of the sums insured, it will be found, that the two chartered companies insured less than four parts out of one hundred of the whole insurances effected in Great Britain.

It thus appears, that the marine insurance business of these companies is of an extent disproportioned to the demands of the country, and wholly inadequate to the unbounded expectations of the legislature.

Several of the merchants, called before your Committee, concur in stating, that though they would much prefer making their insurances with the companies, and would pay a higher premium to them than the risk is supposed to be worth by the underwriters at Lloyd's coffee-house, yet that, owing to the cautious system of the companies, they are seldom able to deal with them.

It appears probable, that the companies, by relaxing in some degree the rigour of their terms, might command much additional business. Indeed, when it is considered, that the capital at first raised by these companies did not exceed L.600,000, and that they carry their fire and life insurances to a much more considerable extent than their marine insurances, the limits they prescribe to themselves may be very wise and proper.

The capital of the Royal Exchange Company appears to have been much increased by their success, and is stated now to be worth about two millions. What changes have taken place in that of the London Assurance Company does not appear, your Committee having made no inquiry into that fact. So much, however, is evident, that in the present times, when the value of insurable property of every description is so much increased, the capitals which, in the year 1719, were by Parliament thought

sufficient to afford the public a proper security for sea risks only in the then contracted state of trade, must be very inadequate to answer the addition since made of fire and life risks, besides the immensely increased value of the property subject to these three distinct species of insurance.

Though, therefore, the cautious conduct of these companies may be proper, and consistent with their interest and with their duties, yet the intention of the legislature in granting them an exclusive right of effecting as companies marine insurances, are evidently defeated. They do not, and they cannot, afford any adequate accommodation to the merchants. And though these transactions, as far as they go, are of service, (and it is not intended by your Committee to recommend anything to prevent their continuance,) yet their right to exclude all other societies and corporations from doing what they can, with their monopoly, so inadequately perform themselves, appears to be decidedly, according to the words of the act of incorporation, "inconvenient and prejudicial to the public;" and, as such, may and should be repealed. The framers of the act in question seem to have thought that insurances are best done by companies. Whatever may be the opinion of the House on this point at present, there can be little doubt of the absurdity of suffering a monopoly to exist more effectual in its hinderance than its performance, where such a monopoly can, as in the present instance, be repealed without any violation of public faith.

## II. *The Effect of the Exclusive Privilege upon Marine Insurance, and the State of and Means of effecting Marine Insurances in this Country.*

The most obvious effect has been to drive the business of Marine In-



insurance into a situation directly the reverse of that intended by the act of parliament; that is, it has been obliged to resort almost entirely to individual security, from the consequences of which it was the object of the act to relieve merchants and traders.

Its effects in the city of London has been to compel individuals to assemble together, in order to underwrite separately, while it has prevented them from associating to make insurances jointly. Hence the establishment of Lloyd's coffee-house, where every person meaning to underwrite must attend during the time necessary for that purpose. But the first merchants in the city of London do not, and cannot attend Lloyd's coffee-house. This exclusive privilege, therefore, operates as a monopoly, not merely to the companies, but to Lloyd's coffee-house.

It will appear from the evidence, that the merchants pretty generally complain of the mode of transacting business at the coffee-house, which, on the other hand, is as generally defended by the underwriters and brokers. Without pretending positively to decide between such contradictory opinions, your Committee, in forming theirs, think it most prudent to confine themselves to obvious deductions from general principles, and from such facts as appear well established.

From individuals being prevented from associating, as in other trades, much inconvenience must infallibly result, both to the insurer and insured, and the security of the latter must be lessened. The necessity of applying to so many single persons, either for signing a policy, or settling a loss; and the having, in case of death, no surviving partner to settle with, are, with many other circumstances which it is unnecessary to detail, such obvious disadvantages, that there can

be little doubt that partnerships and associations will be formed, if the law should permit it; and, at all events, merchants and underwriters being left to manage their concerns unfettered by any restrictions, will soon fall into that system best suited to their general convenience.

That there is great difficulty and trouble in effecting insurances, may be safely inferred from the singularly high compensation retained by the brokers. It appears, that they retain for their agency about twenty-five per cent off the total balances of premiums paid by them to the underwriters, so that one-fourth part of the total profits on underwriting is received by the brokers.

A practice appears to prevail at the coffee-house, which is the subject of very general complaint among the merchants. During the months of August, September, October, November, and December, a great number of the underwriters withdraw from Lloyd's coffee-house. The merchants ascribe this to a dislike to winter risks. But whether it be from this cause,—or, as the underwriters allege, for the purpose of relaxation, the consequences are still the same. At this season of the year, when the peril is greatest, and when there are the largest sums to be insured, the means of effecting that insurance at the coffee-house are lessened. The Jamaica July fleet, the latest West India fleet, the Baltic, the Mediterranean, and Newfoundland convoys, the homeward-bound East Indiamen, not to mention the numerous fleets and vessels taking their departure from Great Britain to Ireland, are mostly then at sea,—and, with the exception of part of the West India July and August fleets, are to insure in these months. Some opinion of the consequences arising from underwriters withdrawing from the coffee-house in the au-

tumn and winter months, may be formed from the following accounts of the sums insured, by an underwriter who attended there every month last year.

	Sums insured.	Premiums.
1809.	£	£
January, . . .	25,600	1,853
February, . . .	25,100	1,934
March, . . .	23,000	1,751
April, . . .	26,250	2,860
May, . . .	27,900	2,831
June, . . .	21,200	2,207
July, . . .	21,000	2,554
Amount for the } first 7 months, }	£173,050	£15,990
	£	£
August, . . .	52,000	5,685
September, . . .	74,600	8,823
October, . . .	46,500	7,401
November, . . .	30,000	4,113
December, . . .	28,200	4,389
Amount in the last } 5 months, . }	£230,300	£30,411

The amount of the sums insured by the underwriter in the last five months in the year, therefore, exceeded the amount of the sums insured by him in the first seven months, by the sum of 57,250*l*.

Not only is the difficulty of insuring increased by this practice, but, owing to the diminished competition, such insurances as are done, are at a more extravagant premium. If the cause assigned by underwriters for their absence at this period be the true one, it would be remedied by associations in partnerships, as the partners may attend alternately, without the firm being at any time absent from the coffee-house.

The out-ports of the kingdom are exposed to very great hardships by

the insurance law as it now stands. The merchants of Liverpool, Bristol, Hull, &c. cannot legally associate together. They can have no joint security for their insurances. They are denied the right, because it is exclusively granted to two companies in the metropolis, from which they can derive little or no benefit. This is manifestly unjust, and has been found to be so inconvenient, that the rights of the companies have been disregarded; and it appears, that, notwithstanding the prohibition and the penalties by which it is protected, that there are upwards of twenty known associations in different parts of England for the purposes of Marine Insurances.

Two of these exist in London, the one called the Friendly Assurance, the other the London Union Society. The former is an association of proprietors of eighty-three regular transports, and it has produced to them a great saving in the amount of their insurance. Last year, it appears, that of their averages and losses, the amount which each member of the association will have to pay is only 1½ per cent; whereas, if they had gone into Lloyd's coffee-house to get the same risks covered, they would have been obliged to pay a premium of from 9*l*. to 11*l*. per cent.

The other of these societies established in London is an association of owners of vessels trading to the port of London. The number of persons associated is about eighty, and the number of vessels which they insured last year about ninety, at an expense of 5*l*. 10*s*. per cent; whereas, if the same insurances had been made in Lloyd's coffee-house, they would have cost, if transports, 9*l*., if colliers, from 18*l*. to 20*l*. per cent.

The capital of similar associations

established in other parts of England is estimated at a million, by a person well acquainted with them.

A further effect of this exclusive privilege, therefore, has been to drive ship-owners into a course which is illegal, but which ought not to be suffered to remain so.

Your Committee refrain from entering upon various other details, by which the defects of the present mode of transacting Marine Insurances would be explained, conceiving that they are sufficiently manifest; and they therefore proceed to the last point reserved for consideration.

### III.—*The Importance of a better System to the Commerce and Revenue of the Empire, and to the Parties concerned.*

That method of effecting Marine Insurances must be the best which gives the best security at the cheapest rate.

And that which gives the best security at the cheapest rate, is the enabling merchants to insure each other.

If such a system shall be established, it is probable that the price paid for insurance will not much exceed the aggregate value of the losses sustained on each class of risks insured. The advantage to the merchant from a cheap rate of good insurance is so great, that no profit he could make from a participation of premium, in any association he might enter into for this purpose, could overbalance it, and his interest would, therefore, lead him to keep the premium of insurance always as low as possible.

The premium he pays is, in truth, either a diminution of his trade, or a clog upon his trade.

Dr Adam Smith, though unfriendly to joint stock companies in gene-

ral, makes four exceptions, viz. "The only trades which it seems possible for a joint stock company to carry on *without an exclusive privilege*, are those of which all the operations are capable of being reduced to what is called a routine, or to such a uniformity of method as admits of little or no variation; of this kind is, first, the banking trade,—secondly, the trade of insurance from *sea risk and capture in time of war*,—thirdly, the trade of making and maintaining a navigable cut or canal,—and, fourthly, the similar trade of bringing water for the supply of a great city." He appears, however, to have been under a mistake in one respect, for, he adds,—“that neither the London Assurance nor the Royal Exchange Assurance Companies have any such (exclusive) privilege.”

The superiority of companies for the purposes of Marine Insurances for facility, security, and cheapness, appears, from the concurring testimonies of all the merchants who have been examined, and may be inferred from the fact, that wherever there is no restriction, (that is, everywhere but in Great Britain,) insurances are invariably done by companies.

In Hamburgh there were thirty-six Marine Insurances, two at Stockholm, one at Gottenburgh, and five at Copenhagen. In every part of America, the insurances are done by incorporate companies. In the state of Massachusetts alone, there are nineteen companies, at Boston there are seven, at New York six, at Philadelphia eight, at Baltimore five, at Norfolk one, at Charlestown two, at New Orleans one; and, in our own settlements, there are at Newfoundland one Marine Insurance Company, at Halifax one, in Jamaica one, in Barbadoes two, and in the East Indies, thirteen.

In Ireland there are three Marine Insurance Companies; and one of these,—viz. the Belfast Insurance Company, has an agent, who underwrites for them at Lloyd's coffee-house.

The advantages of joint over separate insurances are further shewn by the establishment of so many societies in different parts of England, in violation of the rights of the existing companies.

But it is not the intention of your Committee to recommend the enforcement of any particular system by law; but, on the contrary, to release this branch of business from the restraints now existing, and to leave it to shape itself, as it then infallibly would do, in conformity with the true interest of the public.

Should the House still be of opinion that chartered companies, with exclusive privileges, afford the best means of insurance, it would undoubtedly become the duty of your Committee to recommend, that one or more such establishments be formed, under the regulation of parliament, for the purpose of securing to the merchants those advantages which the existing institutions are incapable of affording. But they hope, that the House will concur with them in thinking, that though companies and associations for Marine Insurances may be useful or desirable, yet, that it would be inexpedient and unwise to protect any of them by privileges or exemptions, from which others should be excluded.

It is certainly of the utmost importance that there should be the means of effecting Marine Insurances with economy and security. The merchant, by being permitted by his correspondent abroad to insure at home, not only derives a profit therefrom, but adds much to

the security of his trade. And, if the complaints with which it is said foreign merchants make to London insurances be well founded, there can be little doubt, that where the restraints of law shall be removed, this country will in this, as in most other operations of trade, manifest its accustomed superiority.

By an uneconomical insurance, (and what stronger proof can exist that it is uneconomical, than where the brokerage even amounts to one-fourth of the underwriter's profits?) the prices of all imported articles consumed are enhanced. The same is the case with the raw materials for our manufactures, and in the exportation of manufactured articles. We shall, on a return of peace, want every advantage that wisdom can devise to meet the competition arising from low wages on the continent.

The great consumption by government of stores from the Baltic, and other parts of the world,—the number of hired transports in its service; the shipments it must make to various quarters,—the contracts it is necessarily engaged in,—all concur to give the public a direct interest in this question.

The revenue of the country receives also an important contribution which has been increasing, and may be further increased by an improved system of Marine Insurance. In the last year, the stamp duty on policies amounted to 348,592*l.* 1*s.* 10*½d.* exclusive of the duties paid at the out-ports in England, which are not distinguished in the returns from other stamp duties remitted from the country. From an estimate in a preceding part of this Report, it appears, that a sum of not less than 158 millions is either left annually uninsured, or insured by means which evade or escape the duty. Much of this, and certainly much additional foreign

property, might be expected to be insured under a better system, by which this source of revenue might be further increased. While these important considerations induce your Committee to call the attention of the House to the defects in the present system of Marine Insurance, they have great satisfaction in stating, as their belief, that an adoption of the substance of the resolutions which they submit to the House, will be productive of general benefit to all parties concerned.

The existing companies can have no difficulty, at any time, of extending their Marine Insurances to any amount they may think consistent with the extent of their capitals, and their other engagements and avocations. It is not even pretended that they will lose any share of their business by any competition which the repeal of their exclusive privileges can create.

The individual underwriters will have the relief and facility in their business which partnerships afford; one man may suffice for what four or five are now employed at, and they will no longer be obliged to let their business stand still when they may be occasionally absent. Both the companies and the underwriters will derive their proportion of that general increase of insurances expected from an improvement of the system.

The brokers will also partake of this increase; for there can be no reason to suppose, that this, any more than any other business, can be transacted without such intermediate agency. Their trouble will be very much diminished by dealing with partnerships which are always at hand, instead of a great number of individuals frequently scattered about the country.

The concern of the merchants, generally in this change, and consequently of the great commercial interests of the state in all its various ramifications, is still more manifest, and would be of a description to outweigh any partial injury to other classes if such had been, as it is not, apprehended by your Committee.

The voice of the great and respectable body of general merchants appears so unanimous on this occasion, and the nature of their present complaints have been so extensively enlarged upon in the course of this our Report, that your Committee will conclude with submitting to the House the Resolutions they have come to, after the most attentive inquiry into this important subject, viz.—

Resolved,—That it is the opinion of this Committee, That property requiring to be insured against sea and enemies' risk, should have all the security which can be found for it, whether that security exists in chartered companies, in other companies, or through individuals.

Resolved,—That it is the opinion of this Committee, That the exclusive privilege for Marine Insurance of the two chartered companies should be repealed, saving their charters and their powers, and privileges in all other respects; and that leave should be given to bring in a Bill for this purpose.

Resolved,—That it is the opinion of this Committee, That, with respect to the two petitions which have been referred to them, it should be left to the discretion of the petitioners to bring their respective cases under the consideration of the House, by Bills for carrying into effect the prayer of their petitions, if they shall think proper so to do.

18th April, 1810.

**PETITION OF THE LONDON SHIP-OWNERS AGAINST THE NEW NAVIGATION LAWS.**

*To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled:*

The humble Petition of the undersigned Ship-owners of the Port of London;

*Sheweth*—That your petitioners have seen, with the utmost alarm, that a Bill has been introduced into your Honourable House, entitled, a “Bill to authorise his Majesty, under certain circumstances, to regulate the Duties and Drawbacks on Goods imported or exported in foreign vessels;” which declares it to be expedient, “that his Majesty should be empowered to allow the importation or exportation of any goods, wares, and merchandise, in foreign vessels, upon payment of the like duties, and with the like drawbacks, bounties, and allowances, as are now by law paid or granted upon similar goods, wares, and merchandise, when imported or exported in British vessels, from or to those countries in which no other duties are charged, or other drawbacks, bounties, or allowances granted, upon the importation or exportation of any goods, wares, or merchandise, into or from such country, in British vessels, than are charged or granted upon such goods when imported or exported into or from such countries in foreign vessels.”

That as it cannot be doubted that a rule by which the foreign shipping interest will be greatly benefited;—which subverts a principle that has been acted upon by this country during the last 200 years;—and which has so essentially conduced to the establishment of her naval superiority, will be readily and exultingly adopted by every nation that has the means,

and is desirous of possessing an extensive marine, your petitioners are unable to contemplate the proposed alteration in the law, in any other light than as a change of system, directly tending to the exclusion of British ships from all participation in the trade of those countries.

That your petitioners trust that such also will be the conviction of your Honourable House, when you take into your consideration, the British ship-owner is subject to heavy duties on some of the most important articles used in the construction and equipment of his ships; and, that three-fourths of the crews must be British seamen, whose wages are higher than others; whilst the ship-owners of the Baltic and Norway have the means of building, equipping, and navigating their ships at an infinitely less cost, having all the materials at hand, free of duty;—the expense of victualling their seamen being much less;—and their wages not being one-half the amount paid to British seamen on similar voyages.

That even the existing differences of duties and bounties on particular articles, in favour of British ships, (the removal of which is contemplated by the said bill,) are not found to be sufficient to enable them to sustain the competition to which they are exposed in the trade of the north of Europe, as will be seen on a reference to the official accounts; by which it will appear, that of the considerable increase in the tonnage entered from Holland, Flanders, Norway, Prussia, and Sweden, in the last three years, the largest proportion has been in the ships of those countries, viz.:

	Tons Brit.	Tons For.
In the year 1820	160,288	137,335
1	181,484	136,432
2	199,484	187,181

The removal therefore of such differ-

ence of duties and bounties, cannot but be attended with the most injurious consequences to your petitioners.

That since the return of peace, British shipping has fallen in value one half, and has been, for the most part, unproductive to the owners; and the consequence is, that the number of ships is annually diminishing; and that ship-building is rapidly on the decline; as will appear from the following extracts from the official accounts:

Number of ships, tons, and seamen employed in navigating them, *belonging to the British dominions*:

In the year	Ships.	Tons.	Men.
1818	25,507	2,674,468	173,607
19	25,482	2,666,396	174,378
20	25,374	2,648,593	174,414
21	25,036	2,560,802	169,179
22	24,642	2,519,044	166,333

Number of ships *built* in the British dominions:

In the year	Ships.	Tons.
1818	1,059	104,366
19	1,125	112,173
20	883	84,582
21	872	74,347
22	723	62,534

That your petitioners observe, that in the votes of your Honourable House, the said bill is termed the "Reciprocity of Duties Bill;" but your petitioners humbly beg to submit to your Honourable House, that there is no "reciprocity" in an equality of duties and drawbacks, so long as British ships are subject to heavy burthens, of various descriptions, from which foreign ships are exempt; and as to foreign countries retaliating upon British ships, in their ports, the higher duties which, for the protection of British shipping, are payable upon certain articles when imported into this country in foreign ships, (the effects of which it is proposed to

avert by removing such difference of duty,) your petitioners humbly beg to remind your Honourable House, that almost every ship that arrives from those countries imports a cargo; whilst not one in three of them takes back any goods from this country.

Your petitioners beg farther to point out to your Honourable House, that an equality of duties, as proposed by the said bill, would, in effect, be a repeal of the most important part of the act of the first and second of his present Majesty, cap. 37, altering the duties on timber, which was passed after the most minute inquiry;—the examination of numerous witnesses on behalf of the merchants, and others engaged in trade with the north of Europe;—and the most deliberate consideration of the subject by your Honourable House; and if it was not then deemed expedient to make so important a concession to foreign countries, your petitioners confidently hope that your Honourable House will not deem it to be necessary or proper at the present period, when the shipping of those countries is increasing with the increase of their trade, and the shipping of this kingdom engaged in trade with the north of Europe, is evidently on the decline.

That your petitioners are not insensible, that attempts are making by foreign countries to induce this nation to withdraw the protection hitherto afforded to her shipping, by making distinctions in the duties on goods which they import, to the disadvantage of British ships (which proceeding they affect to consider as founded on a principle of reciprocity;) and that the effect of persevering in that system, and of the adoption by this nation of the necessary measures of counteraction, by increasing the duties on goods imported from thence in the ships of such coun-

tries, must eventually be, that the importations would be made in British ships, and the exportations in ships of those countries; the return voyages, in both cases, being in ballast.

That your petitioners are no less sensible how greatly such a system of commercial warfare would be to be regretted; but your petitioners are notwithstanding of opinion, that such a state of things, supposing that any foreign country should think fit to persist in that system, (but which, from a regard to its own interest, it is conceived that no foreign country is likely to do,) would be infinitely preferable to that of superseding the employment of British ships, in the trade of Europe, by the operation of the said bill; as this nation need never be at a loss for an adequate supply of the articles which such country produces.

That the principle of affording protection to domestic industry from foreign competition, has been recognized and acted upon from the earliest periods of our history, and under its continued operation, the British shipping interest, as well as others of the most valuable branches of native productions and manufactures, have been fostered into importance: your petitioners, therefore, humbly submit to your Honourable House, that the relaxing that principle in favour of foreign shipping, whilst protection still continues to be afforded to agriculture and manufactures, would be such a procedure towards the ship-owners, as your petitioners confidently trust that your Honourable House, in its justice, will not agree to sanction, without, at the same time, resolving to compensate the shipping interest at large, for the ruinous depreciation of their property to which they will thereby be exposed.

That under these circumstances,

your petitioners humbly hope that your Honourable House will not think fit to diminish the protection which the existing laws afford to British shipping, by passing the bill in question into a law; since the effect must be, to expose an important branch of it to gradual but certain decay; and so far to deprive the empire of that resource for seamen for the supply of the national marine, which the commercial shipping of the country has hitherto been the means of affording; but, on the contrary, your petitioners humbly entreat, that your Honourable House will discountenance every measure calculated to deprive British shipping of protection from foreign competition, until the former can be relieved from the burthens and restrictions to which it is at present subject; and instead of a power being given to his Majesty to equalize the duties and drawbacks upon articles imported or exported in British and foreign ships, as proposed by the said bill, that his Majesty may be enabled by your Honourable House, to effect the purpose thereby intended, by an authority to make such alterations in the duties and drawbacks, as may from time to time be found necessary, to countervail those differences of duty which may be made in foreign ports, to the discouragement of British shipping.

And your petitioners will ever pray.

*London, 27th June, 1823.*

#### REPORT ON THE PAYMENT OF LABOURERS' WAGES OUT OF THE POOR-RATES.

*The Select Committee appointed to inquire into the practice which prevails in some parts of the Country of paying the Wages of Labour out*



*of the Poor-Rates, and to consider, whether any, and what measures can be carried into execution, for the purpose of altering that practice, and to report their Observations thereupon to the House, have, pursuant to the order of the House, examined into the matter to them referred, and have agreed upon the following Report :—*

From the evidence and other information collected by your Committee, it appears, that in some districts of the country, able-bodied labourers are sent round to the farmers, and receive a part, and in some instances the whole, of their subsistence from the parish, while working upon the land of individuals. This practice was, doubtless, introduced at first as a means of employing the surplus labourers of a parish; but by an abuse which is almost inevitable, it has been converted into a means of obliging the parish to pay for labour which ought to have been hired and paid for by private persons. This abuse frequently follows immediately the practice of sending the unemployed labourers upon the farms in the parish. The farmer, finding himself charged for a greater quantity of labour than he requires, naturally endeavours to economize, by discharging those labourers of whom he has the least need, and relying upon the supply furnished by the parish for work, hitherto performed entirely at his own cost. An instance has been quoted of a farmer's team standing still, because the farmer had not received the number of roundsmen he expected. Thus the evil of this practice augments itself; and the steady hard-working labourer, employed by agreement with his master, is converted into the degraded and inefficient pensioner of the parish.

In other parts of the country, this practice has been carried to a very great extent, for the sake of diminishing the income of the clergyman of the parish, and paying for the expenses of one class of men out of the revenue of another. In the parish of Hurstmonceux, in Sussex, it appears, that the wages of labour were reduced in this manner to sixpence a-day; and a clergyman of a neighbouring parish has been threatened with the adoption of a similar practice.

This practice is the natural result of another, which is far more common, namely, that of paying an allowance to labourers for the maintenance of their children. In some counties, as in Bedfordshire, this payment usually begins when the labourer has a single child, wages being kept so low, that it is utterly impossible for him to support a wife and child without parish assistance.

The evils which follow from the system above described, may be thus enumerated :—

1. The employer does not obtain efficient labour from the labourer whom he hires. In parts of Norfolk, for instance, a labourer is quite certain of obtaining an allowance from the parish, sufficient to support his family; it consequently becomes a matter of indifference to him whether he earns a small sum or a large one. It is obvious, indeed, that a disinclination to work must be the consequence of so vicious a system. He whose subsistence is secure without work, and who cannot obtain more than a mere sufficiency by the hardest work, will naturally be an idle and careless labourer. Frequently, the work done by four or five such labourers does not amount to what might easily be performed by a single labourer working at task work. Instances of this fact are to be found in the evidence,

and in the statements of all persons conversant with the subject.

2. Persons who have no need of farm-labour, are obliged to contribute to the payment of work done for others. This must be the case wherever the labourers, necessarily employed by the farmers, receive from the parish any part of the wages, which, if not so paid, would be paid by the farmers themselves.

3. A surplus population is encouraged; men who receive but a small pittance know, that they have only to marry, and that pittance will be augmented in proportion to the number of their children. Hence the supply of labour is by no means regulated by the demand, and parishes are burdened with thirty, forty, and fifty labourers, for whom they can find no employment, and who serve to depress the situation of all their fellow-labourers in the same parish. An intelligent witness, who is much in the habit of employing labourers, states, that when complaining of their allowance, they frequently say to him,—"We will marry, and you must maintain us."

4. By far the worst consequence of the system is the degradation of the character of the labouring class.

There are but two motives by which men are induced to work; the one, the hope of improving the condition of themselves and their families; the other, the fear of punishment. The one is the principle of free labour, the other the principle of slave labour. The one produces industry, frugality, sobriety, family affection, and puts the labouring class in a friendly relation with the rest of the community; the other causes, as certainly, idleness, imprudence, vice, dissension, and places the master and the labourer in a perpetual state of jealousy and mistrust. Unfortunately, it is the tendency of the

system of which we speak, to supersede the former of these principles, and introduce the latter. Subsistence is secured to all; to the idle as well as the industrious; to the profligate as well as the sober; and, as far as human interests are concerned, all inducement to obtain a good character is taken away. The effects have corresponded with the cause. Able-bodied men are found slovenly at their work, and dissolute in their hours of relaxation; a father is negligent of his children, the children do not think it necessary to contribute to the support of their parents; the employers and the employed are engaged in perpetual quarrels,—and the pauper, always relieved, is always discontented: crime advances with increasing boldness,—and the parts of the country where the system prevails, are, in spite of our gaols and our laws, filled with poachers and thieves.

The evil of this state of things has often induced individuals to desire further means of punishing labourers who refuse or neglect to work, and the legislature has sometimes listened with favour to such proposals; but we are persuaded, that any attempt to make the penalties of this kind more efficacious, would either be so repugnant to the national character as to be totally inoperative, or, if acted upon, would tend still farther to degrade the labouring classes of the kingdom.

The effects of this system very clearly shew the mistake of imagining, that indiscriminate relief is the best method of providing for the happiness of the labouring classes. Employers, burdened with the support of a surplus population, endeavour to reduce the wages of labour to the lowest possible price. Hence, where the system to which we allude has gained ground, the labourers are

found to live chiefly on bread, or even potatoes, scarcely ever tasting meat or beer, or being able even to buy milk; while, in other parts of the country, where high wages are still prevalent, the food and whole manner of living of the labourer are on a greatly better scale. This difference is, doubtless, to be attributed to the excess of population in particular parts of the country; but that excess is, in great part, to be attributed to the mal-administration of the poor-laws during the latter years of the late war.

Without assigning any precise period when the system of paying part of the wages of labour out of the poor-rate commenced, we are of opinion, that, although perhaps it began earlier in some districts, it has generally been introduced during the great fluctuations of the price of provisions which have occurred in the last thirty years. In the year 1795, especially, a year of scarcity, parishes, finding that employers could not afford to pay their labourers a sufficient sum to support their families, even on the most stinted scale, added a contribution out of the poor-rate to healthy labourers in full employment.

We are happy to be able to say, that the evil of which we complain is partial, and that many counties in England are nearly, if not totally, exempt from the grievance. In Northumberland, wages are twelve shillings a-week; and labourers having families do not usually receive assistance from the poor-rate. In Cumberland, wages vary from twelve shillings to fifteen shillings a-week, and the report is equally satisfactory.—In Lincolnshire, the wages are generally twelve shillings per week, and the labourers live in comfort and independence. At Wigan, in Lancashire, wages are seven or eight shillings a-week, and relief is afforded to a man with three children; in the di-

vision of Oldham, in the same county, a great manufacturing district, wages are from twelve shillings to eighteen shillings a-week, and no such practice is known. In Yorkshire, wages are generally twelve shillings a-week; but in some parts of that extensive county, the practice of giving married labourers assistance from the parish appears very prevalent. In Staffordshire, wages are about ten shillings; and labourers having families, only occasionally receive relief from the poor-rate. In the division of Oswaldslow, in the county of Worcester, the practice of paying part of the wages of labour out of the poor-rate, has been entirely put a stop to by the vigilance of the magistrates. If we turn to the midland, southern, and western parts of the country, we find a great variety in the rate of wages. In the Wingham division in Kent, alone, it appears, that the lowest wages paid were, in one parish, sixpence; in four, eightpence; in eleven, one shilling and sixpence; in four, two shillings; and, in the greater number, one shilling a-day. In Suffolk, Sussex, Bedfordshire, Buckinghamshire, Dorsetshire, and Wiltshire, the plan of paying wages out of the poor-rate has been carried to the greatest extent. Norfolk, Huntingdonshire, and Devonshire, are likewise afflicted by it. In some of these counties wages are eight shillings or nine shillings; in others, five shillings;—and, in some parts, they have been, and are, so low as three shillings a-week for a single man, and four shillings and sixpence for a man and his wife.

A great number of returns on this subject have been collected, of which an abstract, when made, will be presented to your honourable House.

With respect to the remedy for the evils pointed out, it is obvious to remark, that a great, if not the greater part, arises from the mal-admini-

nistration of the laws. Yet when this remark is made, it does not appear how, under the present system, the laws which regard the poor should be otherwise than ill administered. Where no select vestry or assistant overseer has been appointed, the poor are consigned to the care of a person named only for one year,—and, in general, anxious chiefly to get rid of his office with as little trouble to himself as possible; or if he endeavours, in spite of clamour and vexation, to improve the practice, his designs are liable to be overset by the orders of Magistrates, who, with excellent intentions, are often not conversant with the details of the management of the parish in whose concerns they interfere.

The great object to be aimed at, is, if possible, to separate the maintenance of the unemployed from the wages of the employed labourer; to divide two classes which have been confounded; to leave the employed labourer in possession of wages sufficient to maintain his family, and to oblige the rest to work for the parish in the way most likely to prevent idleness.

In order to effect the purpose of separating the wages of employed labourers from the poor-rate, it appears to us, that much might be done by affording to appellants against the yearly accounts, the easiest remedy of which the law admits. The act of 50th Geo. III., c. 49, directs that the yearly accounts, to be made out according to previous acts of parliament, shall be submitted to two or more justices at a special sessions; and the act empowers the justices, "if they shall so think fit," to examine into the matter of every such account, and to "disallow and strike out of every such account, all such charges and payments as they shall deem to be unfounded, and to re-

duce such as they shall deem exorbitant; and they are to specify the cause for which any charge is disallowed or reduced."

Notwithstanding this provision, it appears, that at present, even when a complaint is made, that the sum levied on the parish have not been applied according to the intention of the law, a practice has in some places prevailed of directing the complainant to appeal to the Quarter Sessions. This proceeding entails the employment of counsel, and an expense both of money and time, which is both unnecessary and oppressive. There is some ambiguity certainly in the word "unfounded," contained in the act just quoted; but there cannot well exist a doubt that it is intended to apply to charges or payments which do not come within the scope and intention of the poor-laws.

On this, and on almost every part of the subject, we may observe, that if the payers of the rates do not complain, and thereby enable the neighbouring justices to execute the law at present existing, it is needless to attempt, by any new act, to prevent abuses permitted or connived at by those who have the clearest interest in repressing them. Above all, the farmers themselves ought to perceive, that any practice which tends to degrade the character of the labourer, tends, in the same degree, to diminish the value of his labour, and to render agricultural property less secure, and less desirable.

By the act of the 43d of Elizabeth, it is ordered, that the "churchwardens and overseers" shall take order, from time to time, with the consent of two or more justices, for setting to work the children of all who shall not be thought able to keep and maintain their children. This provision, while it clearly shews that the framers of that act never had it in contem-

plation to raise a fund for the support of all the children of all labourers, affords the means of remedying, in some degree, the existing evil of adding to the wages of labour from the poor-rate. Wherever, from disinclination to work, parents earn less than they might do, in order to draw from the parish fund, it might be found highly useful, that the parish officers, with the consent of the magistrates, should, instead of giving money to the parents, set to work their children, who would, at the same time, be removed from the example of idle or dissolute parents. But this remedy must be used with caution, and might be inexpedient, if applied in cases where the best labourers, with their utmost exertions, cannot earn sufficient to bring up their children without parish assistance.

According to the system at present pursued in many counties, a scale of allowance is drawn up by the Magistrates, fixing, in money, the sums which a labourer is to receive, in proportion to the size of his family, and the current price of flour or meal. On this allowance, whether idle or industrious, the labourer relies as a right; and when he receives less, he makes an angry appeal to a magistrate, not as a petitioner for charity, but as a claimant for justice. Without questioning the fitness of the scale upon which these tables have been framed, we cannot but regret that the magistrates should promulgate general regulations, the obvious tendency of which is to reduce the rate of wages, and create dissatisfaction between the labourer and his employer.

It has been thrown out, that the practice of giving relief to able-bodied labourers on account of their impotent children, ought to be positively forbidden by legislative enact-

ment. Your Committee are not prepared to go this length;—but they venture to suggest, that where wages have been reduced, with a view to supply the deficiency from the parish rates, relief might be refused to any person actually in the employment of an individual. The consequence might certainly be, to throw, at first, some married labourers entirely upon the parish; but, in a short time, it is probable a more wholesome system of paying the wages of labour would be permanently adopted.

Much good has been effected in some parts of the country by the adoption of what has been called the Crockery, or Oundle Plan, of labour-rate; and a bill has been introduced into the House for giving to such a plan, adopted under certain regulations, the force of law. It appears to us quite impossible to frame any act on this subject, which shall meet every case, but a general sanction might be extremely beneficial; and the following form, which has been suggested, appears as unexceptionable as any. Indeed, it is very similar to one contained in a bill brought into the House in an early part of the session:—

“The parishioners in vestry shall, if they think fit, draw up regulations for the maintenance of the old and impotent, and other poor unable to work, as also for the employment of the able poor; and the same, signed or agreed to by a majority in vestry, shall be presented to the justices, to be by them amended, approved, or rejected, or sent back for alterations, and when adjusted to the satisfaction of the justices and parishioners, to be parochial law for one year.”

With respect to the second object, the mode of finding employment for those who profess themselves unable to obtain it, it appears to your Com-

mittee, that the parish should, if it be possible, provide them with labour less acceptable in its nature than ordinary labour, and at lower wages than the average rate of the neighbourhood. Your Committee can add, that this method has been found practically beneficial in all places where it has been carried into effect.

It must never be forgotten, in considering this subject, that the evils produced by the poor laws are different in different places; that all the good effects hitherto produced have been accomplished by improved management; and that, if those effects have not been more general, it is because the management of the poor has, in the greater part of the country, improved very little.

For the purpose of hastening and ensuring such improvement, your Committee feel inclined to recommend to more general adoption, the appointment of select vestries, and of assistant overseers receiving a salary. The greatest evils arise from intrusting a business, so complicated, to inexperienced and inefficient officers; and much benefit has been produced by taking advantage of the provisions of the 59th Geo. III. c. 12, on this subject. The greatest amendment may likewise be made by a judicious attention to that part of the act, wherein a select vestry is required to "inquire into and determine upon the proper objects of relief, and the nature and amount of the relief to be given; and in each case shall take into consideration the character and conduct of the poor person to be relieved, and shall be at liberty to distinguish, in the relief to be granted, between the deserving and the idle, extravagant or profligate poor."

In a bill introduced into the House in an early part of the Session, there is a clause imposing on the Quarter Sessions the duty of controlling the

parish accounts, which are ordered to be laid before them, and enabling them to appoint an examiner, to look into the expenditure of each parish. Whether, in the state in which it at present stands, this provision is fit to be adopted, we will not decide; but, in the opinion of many persons, it might be useful, that the Quarter Sessions should appoint an inspector of parish accounts, whose duty it should be to report to the magistrates the state of the poor, and to point out any flagrant instance of negligence or abuse. A more regular and distinct method of keeping the parish accounts might likewise prove highly advantageous.

At the same time, we cannot too strongly express our opinion, that, even as the law at present stands, much might be done by the vigilant and enlightened attention of the magistrates. If they would point out to the farmers the mischievous consequences of placing their labourers upon the public fund; if they would discountenance the abuses which prevail, and give every support to those who endeavour to reform the present system, there can be no doubt, that a great good might be effected. The farmers themselves have adopted it unwillingly, and must be fully aware of its mischievous effects. The distress which has so long restrained the application of agricultural capital is now happily disappearing, and there never was a more favourable moment for reforming an abuse, which, in very few places, is as yet of thirty years' growth. Let the magistrates, and, generally, all charged with the administration of the poor laws, observe, that, if these laws have been retained with the humane purpose of preserving honest indigence from starving, and remedying any sudden want of employment, yet, that, if misapplied, they may become a greater evil to the country than any partial misfor-

tune, or temporary calamity, could inflict.

PETITION BY RAM MOHUN ROY, AND OTHER INHABITANTS OF CALCUTTA, TO SIR FRANCIS MACNAUGHTEN, ON THE FREEDOM OF THE PRESS IN INDIA.

MY LORD,

In consequence of the last rule and ordinance passed by his Excellency the Governor-general in Council, regarding the publication of periodical works, your memorialists consider themselves called upon, with due submission, to represent to you their feelings and sentiments on the subject.

Your memorialists beg leave, in the first place, to bring to the notice of your Lordships various proofs given by the natives of this country of their unshaken loyalty to, and unlimited confidence in, the British government in India; which may remove from your mind any apprehension of the government being brought into hatred and contempt, or of the peace, harmony, and good order of society in this country being liable to be interrupted and destroyed, as implied in the preamble of the above rule and ordinance.

1. Your Lordship is well aware, that the natives of Calcutta and its vicinity have voluntarily intrusted government with millions of their wealth, without indicating the least suspicion of its stability and good faith, and reposing in the sanguine hope, that their property being so secured, their interests will be as permanent as the British power itself; while, on the contrary, their fathers were invariably compelled to conceal their treasures in the bowels of the earth, in order to preserve them from

the insatiable rapacity of their oppressive rulers.

2. Placing entire reliance on the promises made by the British government, at the time of the perpetual settlement of the landed property of this part of India in the year 1793, the landlords have since, by constantly improving their estates, been able to increase their produce, in general, very considerably; whereas, prior to that period, and under former governments, their forefathers were obliged to lay waste the greater part of their estates, in order to make them appear of inferior value, that they might not excite the cupidity of government, and thus cause their rents to be increased, or themselves to be dispossessed of their lands—a pernicious practice, which often incapacitated the landholders from discharging even their stipulated revenue to government, and reduced their families to want.

3. During the last wars which the British government were obliged to undertake against neighbouring powers, it is well known, that the great body of natives of wealth and respectability, as well as the landholders of consequence, offered up regular prayers to the objects of their worship for the success of the British arms, from a deep conviction that, under the sway of that nation, their improvement, both mental and social, would be promoted, and their lives, religion, and property, be secured. Actuated by such feelings, even in those critical times, which are the best test of the loyalty of the subject, they voluntarily came forward with a large portion of their property, to enable the British government to carry into effect the measure necessary for its own defence; considering the cause of the British as their own, and firmly believing, that on its success their own happiness and prosperity depended.

4. It is manifest as the light of day, that the general subject of observation, and the constant and familiar topic of discourse among the Hindoo community of Bengal, are the literary and political improvements which are continually going on in the state of the country under the present system of government, and a comparison between their present auspicious prospects, and their hopeless condition under their former rulers.

Under these circumstances, your lordship cannot fail to be impressed with a full conviction, that whoever charges the natives of this country with disloyalty, or insinuates aught to the prejudice of their fidelity and attachment to the British government, must either be totally ignorant of the affairs of this country, and the feelings and sentiments of its inhabitants as above stated, or, on the contrary, be desirous of misrepresenting the people, and misleading the government, both here and in England, for unworthy purposes of his own.

Your memorialists must confess, that these feelings of loyalty and attachment, of which the most unequivocal proofs stand on record, have been produced by the wisdom and liberality displayed by the British government, in the means adopted for the gradual improvement of their social and domestic condition ; by the establishment of colleges, schools, and other beneficial institutions in this city, among which, the creation of a British court of judicature, for the more effectual administration of justice, deserves to be gratefully remembered.

A proof of the natives of India being more and more attached to the British rule, in proportion as they experience from it the blessings of just and liberal treatment, is, that the inhabitants of Calcutta, who enjoy, in many respects, very superior privileges to those of their fellow-sub-

jects in other parts of the country, are known to be in like measure more warmly devoted to the existing government ; nor is it at all wonderful they should in loyalty be not at all inferior to British-born subjects, since they feel assured of the same civil and religious liberty which is enjoyed in England, without being subjected to such heavy taxation as presses upon the people there.

Hence the population of Calcutta, as well as the value of land in this city, have rapidly increased of late years ; notwithstanding the high rents of houses, and the dearness of all the necessaries of life, compared with other parts of the country, as well as the inhabitants being subjected to additional taxes, and also liable to the heavy costs necessarily incurred in cases of suits before the supreme court.

Your lordship may have learned, from the works of the Christian missionaries, and also from other sources, that ever since the art of printing has become generally known among the natives of Calcutta, numerous publications have been circulated in the Bengallee language ; which, by introducing free discussion among the natives, and inducing them to reflect and inquire after knowledge, have already served greatly to improve their minds, and ameliorate their condition. This desirable object has been chiefly promoted by the establishment of four native newspapers, two in the Bengallee, and two in the Persian language ; published for the purpose of communicating to those residing in the interior of the country, accounts of whatever occurs worthy of notice at the Presidency, or in the country, and also the interesting and valuable intelligence of what is passing in England, and in other parts of the world, conveyed through the English newspapers, or other channels.



Your memorialists are unable to discover any disturbance of the peace, harmony, and good order of society, that has arisen from the English press, the influence of which must necessarily be confined to that part of the community who understand the language thoroughly; but we are quite confident, that the publications in the native languages, whether in the shape of a newspaper or any other work, have none of them been calculated to bring the government of the country into hatred and contempt, and that they have not proved, as far as can be ascertained by the strictest inquiry, in the slightest degree injurious, which has very lately been acknowledged in one of the most respectable English missionary works. So far from obtruding upon government groundless representations, native authors and editors have always restrained themselves from publishing even such facts, respecting the judicial proceedings in the interior of the country, as they thought were likely, at first view, to be obnoxious to government. \*

While your memorialists were indulging the hope that government, from a conviction of the manifold advantages of being put in possession of full and impartial information regarding what is passing in all parts of the country, would encourage the establishment of newspapers in the cities and districts under the special patronage and protection of government, that they might furnish the supreme authorities in Calcutta with an accurate account of local occurrences, and reports of judicial proceedings, they have the misfortune to observe, that, on the contrary, his Excellency the Governor-General in Council has lately promulgated a rule and ordinance, imposing severe restraints on the press, and prohibiting all periodical publications, even at the Presidency, and

in the native languages, unless sanctioned by a licence from government, which is to be revocable at pleasure, whenever it shall appear to government that a publication has contained anything of unsuitable character.

Those natives who are in more favourable circumstances, and of respectable character, have such an invincible prejudice against making a voluntary affidavit, or undergoing the solemnities of an oath, that they will never think of establishing a publication, which can only be supported by a series of oaths and affidavits, abhorrent to their feelings, and derogatory to their reputation amongst their countrymen.

After this rule and ordinance shall have been carried into execution, your memorialists are extremely sorry to observe, that a complete stop will be put to the diffusion of knowledge, and the consequent mental improvement now going on, either by translations into the popular dialect of this country from the learned languages of the east, or by the circulation of the literary intelligence drawn from foreign publications. And the same cause will also prevent those natives who are better versed in the laws and customs of the British nation, from communicating to their fellow-subjects a knowledge of the admirable system of government established by the British, and the peculiar excellencies of the means they have adopted for the strict and impartial administration of justice. Another evil of equal importance in the eyes of a just ruler is, that it will also preclude the natives from making the government readily acquainted with the errors and injustice that may be committed by its executive officers in the various parts of this extensive country, and it will also preclude the natives from communicating frankly and honestly to their gracious sovereign in England,

and his council, the real condition of his Majesty's faithful subjects in this distant part of his dominions, and the treatment they experience from the local government, since such information cannot in future be conveyed to England, as it has heretofore been, either by the translations in the native publications inserted in the English newspapers printed here and sent to Europe, or by the English publications which the natives themselves had in contemplation to establish, before this rule and ordinance was proposed.

After this sudden deprivation of one of the most precious of their rights, which has been freely allowed them since the establishment of the British power—a right which they are not, and cannot be, charged with having ever abused—the inhabitants of Calcutta would be no longer justified in boasting that they are fortunately placed by Providence under the protection of the whole British nation; or that the King of England and his Lords and Commons are their legislators; and that they are secured in the enjoyment of the same civil and religious privileges that every Briton is entitled to in England.

Your memorialists are persuaded, that the British government is not disposed to adopt the political maxim so often acted upon by Asiatic princes, that the more a people are kept in darkness, their rulers will derive the greater advantages from them; since, by reference to history, it is found that this was but a short-sighted policy, which did not ultimately answer the purpose of its authors.—On the contrary, it rather proved disadvantageous to them; for we find, that, as often as an ignorant people, when an opportunity offered, have revolted against their rulers, all sorts of barbarous excesses and cruelties have been the consequence; whereas, a people naturally disposed to peace

and ease, when placed under a good government, from which they experience just and liberal treatment, must become the more attached to it in proportion as they become enlightened, and the great body of the people are taught to appreciate the value of the blessings they enjoy under its rule.

Every good ruler, who is convinced of the imperfection of human nature, and reverences the Eternal Governor of the world, must be conscious of the great liability to error in managing the affairs of a vast empire; and, therefore, he will be anxious to afford every individual the readiest means of bringing to his notice whatever may require his interference. To secure this important object, the unrestrained liberty of publication is the only effectual means that can be employed.—And should it ever be abused, the established law of the land is very properly armed with sufficient powers to punish those who may be found guilty of misrepresenting the conduct or character of government, which are effectually guarded by the same laws, to which individuals must look for the protection of their reputation and good name.

Your memorialists conclude, by humbly entreating your lordship to take this memorial into your gracious consideration;—and that you will be pleased, by not registering the above rule and ordinance, to permit the natives of this country to continue in the possession of the civil rights and privileges which they and their fathers have so long enjoyed under the auspices of the British nation, whose kindness and confidence they are not aware of having done anything to forfeit.

CHUNDER COOMAR TAGORE.

DEWAR KUNAUTH TAGORE.

RAM MOHUN ROY.

HUR CHUNDER GHOSE.

GOWREE CHURN BONNERGEE.

PROSSUNNO COOMAR TAGORE.

**REPORT FROM THE SELECT COMMITTEE ON THE SURVEY AND VALUATION OF IRELAND.**

In considering the subject referred to them, your Committee have not felt themselves called upon to enter into a prolonged examination of witnesses, to prove the necessity of a new Survey and Valuation of Ireland. Such a measure has been recommended by former Committees, and its expediency admitted by the House. It has formed the subject of various petitions to Parliament, and has been looked to by the people of Ireland as a remedy for the inequalities of the present mode of apportioning the taxation levied under the authority of Grand Juries and Vestries. The expediency of proceeding in this great national work is apparent from a consideration of the sums annually levied under the Presentment Laws. By returns laid on the table of the House during the present session, it appears that the amount of the Grand Jury taxes imposed in the last year has exceeded 750,000*l*. The obscurity and want of uniformity in the general system, as well as the inequality incidental to the mode of apportioning those local taxes, have been admitted by the Parliament of Ireland at remote periods. In some parts of Ireland the assessment is made by the civil division of ploughlands, varying in size and value, but rated at an equal sum. In other cases, a division by townlands has been established, each townland contributing according to its assumed area, which bears no defined proportion to its actual contents. Gneeves, cartrons, tates, and

other sub-denominations of land, are recognized in other parts of Ireland; but however the names may vary, the evil seems universally the same; and the inequality\* complained of in the middle of last century by Sir William Petty, continues without correction to the present times. This subject has frequently occupied the attention of the legislature. A select Committee, in the year 1815, after a minute investigation, reported, "that some mode should be taken to render Grand Jury assessments more equal, by correcting the defects arising from apportioning the county rate according to old surveys, calculated on the measure of land formerly deemed profitable, and not comprehending the great improvements which have subsequently taken place." Extracts from the evidence taken before the Select Committee of 1815, will be found in the Appendix to the present Report. In the following year a second Report was presented to the House, stating, "that the various modes of levying the Grand Jury presentments, from the inequality of their pressure, arising out of the distant periods of time, and unsettled state of the country where such arrangements were made, required immediate and complete alteration." In 1819, a bill was introduced to provide for the Survey and Valuation of Ireland, but the measure was not persevered in. During the present session, a vote of 5000*l*. was agreed to, for the purpose of a trigonometrical survey, and the House resolved, "that it is expedient, for the purpose of apportioning more equally the local burthens of Ireland, to provide for a general Survey and Valuation of that

\* As to these townlands, ploughlands, colps, gneeves, bullibos, bullibollas, horsemen, beds, they are at this day manifestly unequal both in quantity and value, being made on grounds that are all obsolete and antiquated.—*Political Anatomy*, p. 73.

part of the united kingdom." The utility of the proposed measure, as well as the necessity of its immediate commencement, appear, on a review of the records of Parliament, to be established beyond the possibility of doubt.

Your Committee have considered it important to inquire into the proceedings taken, both in the British empire and in foreign countries, in the execution of territorial surveys and valuations; such an inquiry appearing likely to supply useful information on the subject referred to them by the House. One of the earliest as well as the most minute of the surveys, is that transmitted to us under the name of the *Domesday Book*. This ancient record, like the other earliest surveys, was not laid down as a map on paper, but as a catalogue or terrier of property. This inquest, properly called "the most important financial operation" of that period, was intended to convey a survey of "every hide of land in the kingdom." Commissioners were sent down into the counties, with authority to impanel a jury in each hundred, from whose presentments and verdicts the necessary information might be obtained. They directed their inquiries to every important particular; the extent of each estate; its divisions into arable land, pasture, meadow, and wood; the names of the owners, tenants, and sub-tenants; their condition, whether free or servile; the nature and obligation of the tenures, and the estimated value. The extraordinary precision and minute details of this ancient work have scarcely been surpassed in modern times; and the mode in which it was effected appears to your Committee not wholly inapplicable to the intended survey of Ireland.

The survey of forfeited lands, made under the authority of Lord Strafford,

in Ireland, is considered to have been executed in like manner as a terrier, though accompanied by outline-maps. These original documents have unfortunately been destroyed.

The most extensive and valuable survey of Ireland was undertaken by Sir William Petty, under a commission dated December 11, 1654; it was executed in consideration of a payment of 20s. by the day, and of 1d. an acre for the grantees obtaining possession of the lands. This survey was laid down with the chain, and with wonderful accuracy, considering the period at which it was executed; it consists of county maps, containing the boundaries of baronies and parishes, and of baronial maps, on a scale of forty perches to the inch; the latter distinguish the boundaries of parishes and townlands. Many of these maps have been destroyed by fire, but are replaced by copies taken from the originals deposited at the royal library at Paris. Of 1430 maps, about 260 are of the baronies, and the remaining 1170 of the parishes. About 67 of the baronial maps are burned, with more or less injury; 130 are fully preserved, and 2 are stated to be lost. Of the parochial maps, about 391 have suffered from fire, and about 780 have altogether escaped. These maps are deposited among the records in Birmingham Tower, and are evidence in courts of law, as between the crown and those deriving under it, as also between two persons, both deriving title under the crown.

The last official survey of an extensive nature made in Ireland, was that of forfeited lands, in the reign of William III.; it is preserved in the Vice-Treasurer's office, and comprises about 2,000,000 of acres.

In France, the great territorial survey, or cadastre, has been in progress for many years; it was first suggested

in 1763, and after an interval of thirty years, during which no progress was made, it was renewed by a decree of the government of that day, and individuals of the highest scientific reputation, M. M. Lagrange, Laplace, and Delambre, were consulted with respect to the best mode of carrying into effect the intention of government. Subsequent events suspended any effectual operations in the French cadastre till the year 1802, when a school of topographical engineering was organized. The operations now in progress were fully commenced in 1808. The principle adopted is the formation of a central commission, acting in conjunction with the local authorities; the classification of lands, according to an ascertained value, is made by three resident proprietors of land in each district selected by the municipal council, and by the chief officer of revenue.—“In the course of thirteen years, one-third only of each department had been surveyed, having cost the state 120,000*l.* per annum. At the rate at which it is carried on, it may be computed as likely to require for its completion a total sum of 4,680,000*l.* or an acreable charge of 8*3d.*” The delay of the work, as well as the increase of expense, seem to have been the result of the minuteness of the survey, which extends to every distinct field; a minuteness which, for many reasons, your Committee consider both unnecessary and inexpedient to be sought for in the proposed survey of Ireland.

The survey of Bavaria is of more modern date, but of equal minuteness. It is commenced by a primary triangulation, and principal and verification bases;—it is carried on to a second triangulation, with very accurate instruments, so as to determine “all the principal points; the filling up the interior is completed by a pec-

uliar species of plane table; and, in order to do away with the inaccuracies of the common chain, the triangulation is carried down on paper on the most minute corners of fields.” The map is laid down on a scale of twelve inches to the mile, or 1-5000th part of the real size; and as it contains all that is required in the most precise survey of property, it is used in the purchase and sale of real estates.

The cadastre of Savoy and Piedmont began in 1729; and is stated to have at once afforded the government the means of apportioning justly all the territorial contributions, and to have put an end to litigations between individuals, by ascertaining satisfactorily the bounds of properties.

The Neapolitan survey under Visconti, and that of the United States under Hessler, are both stated to be in progress: but your Committee have not had the means of ascertaining on what principles they are conducted.

The practical subject referred to your Committee may be considered, as it relates—§ 1. To the survey:—and § 2. To the valuation. Each of these demands consideration, with the view of defining the duty to be done, and the means by which that duty is to be performed.

1. The surface of Ireland consists of about 12,000,000 Irish acres, or nearly 20,000,000 acres in English measurement, divided into four provinces, 32 counties at large, eight counties of cities, towns, or other independent local jurisdictions; 252 baronies, about 2400 parishes; and a further civil subdivision, already alluded to in this Report, generally known as town-lands, but bearing different names in the several counties in Ireland. These sub-denominations, which may be generally expressed by the word townland, are the ancient and recognized divisions of the cour-

try; they form the basis of the Down survey, they have been long used in the apportionment and collection of county and parochial rates. The county surveys, executed in all cases except two, are admitted to be useless as a basis for taxation, because the boundaries and area of the townlands have been omitted;—and, in the latest county survey contemplated, the Grand Jury acted upon a conviction, that a survey by townland was indispensable. It is obvious, that if a parsonial, or even a parochial subdivision, were alone to be effected, sufficient data would not be furnished for the apportionment of the land taxes; and if, on the other hand, a survey by fields were to be undertaken, as in France and Bavaria, the expense of such a work would be augmented, and its completion postponed. A survey by townlands appears to your Committee to be the rational medium between these two extremes; sufficiently close for practical purposes, without aiming at any extreme minuteness of detail. Your Committee have closely examined this important branch of the subject—and, after having placed upon their minutes the evidence of those who, from local knowledge and professional experience, were qualified to form an opinion, they feel it their duty to express their decided conviction, that a survey which did not include the boundaries and contents of townlands, would be insufficient for the purposes of valuation. Your Committee are of opinion, that, could the counties of Ireland be furnished with a map as perfect in its execution, and as accurate in its detail, as the Ordinance Survey of Great Britain, it would not answer for the purposes of the Grand Jury taxation, unless a minute subdivision, namely, that of the separate townlands, were superadded to the boundaries of counties and of parishes.

Your Committee conceive, that the difficulty of tracing and of surveying these boundaries of townlands is not so considerable as might at first be apprehended.

They have learned with satisfaction from Major Colby, that “the additional time it would require would not be very considerable, provided the boundaries were set out.” Mr Griffith considers “that there would not be any great difficulty in ascertaining the boundary of the townlands.” Mr Bald is of the same opinion. Mr Edgeworth states, that it would not have added materially to the expense of the survey of Roscommon, executed by him and Mr Griffith, if he had laid down these subdivisions; and Mr Aher, whose survey of Kilkenny actually includes the boundaries of townlands, has informed your Committee “that these boundaries are less difficult to trace than those of parishes.” Had the result of their investigation been different, and had the possible delays and difficulties connected with the representation of these subdivisions appeared greater than they really are, your Committee would not have felt themselves at liberty to abandon a principle essentially necessary for the success of the measure to which their attention has been directed.

It has given your Committee great satisfaction to think that the direction of the survey can be undertaken by the Board of Ordnance; they cannot conceive any other authority so well calculated to ensure the scientific accuracy and unity of principle which ought to distinguish a great national work. The high character of the officer who conducts the trigonometrical survey of England, the advantages derivable from military organization, and the command of the best instruments, afford a sufficient security for the successful com-

pletion of the work. Your Committee feel a perfect confidence that the map, about to be furnished, will comprehend the local subdivisions, without which it would not answer the peculiar purposes of valuation. Were the boundaries of townlands to be omitted, the counties would be obliged to supply the deficiency by independent efforts; and the experience of the past, with the state of too many of the existing local surveys, sufficiently prove, that it would be in vain to expect, through the medium of the grand juries, such separate maps as could be compared and combined for any useful national purpose; the expense of such double operation would also be considerably increased, and an inferior work would be produced at a sacrifice of time, convenience, and economy.

Your Committee fully agree in the opinion of Major Colby, that steps should be taken without delay to facilitate the tracing of the townland boundaries, a measure which that officer conceives would reduce, by one half, the time required for this particular branch of the survey. With this view your Committee have already instructed their chairman to bring in a bill, which they trust may pass into a law during the present session, requiring the several grand juries to carry into effect the provisions of the 49th Geo. III., so far as respects the tables of townlands and their acreable contents. They also conceive that every other aid and facility should be afforded to the officers of the Ordnance, both by placing at their disposal an enlarged supply of improved instruments, and by giving them a free access to all the existing public maps and records which bear upon the subject. The Down survey, that of the forfeited lands, the county and baronial maps, however imperfect in themselves, may

be of some service. When the objects with which the intended survey is undertaken are understood, your Committee are convinced that not only will all the local authorities in Ireland afford their zealous co-operation, but that many private individuals will, on public grounds, allow access to such maps and other documents as can be of service in tracing the boundaries.

In the survey of Roscommon, the bishops and clergy afforded every facility in settling parochial boundaries; your Committee trust, that such aid will, in the present instance, be renewed, and assisted by the magistrates and the police throughout Ireland. They are happy to learn, from the evidence, that so far from there being any reason to apprehend obstructions on the part of the peasantry, a reliance may be placed on their good will and co-operation. It is, however, important that the nature and object of the proposed work should be thereby explained and understood; when that explanation is given, there can be no doubt but that the proprietors and occupiers of land in Ireland, will feel that the completion of the survey and valuation is likely to conduce to the general good, and add to the value of property.

Whilst your Committee express their belief that the execution of the survey cannot be placed in better hands than in those of the Ordnance officers, they cannot but add, that it is expedient to give much greater dispatch to this work, than what has occurred in the trigonometrical survey of England. That great work, highly creditable as it is to the individuals by whom it is conducted, has already been thirty-three years in progress, and yet it still wants one-third part of its completion. It ought to be added, however, that the operations of the Ordnance suffered in-

terruption during the war. The Irish survey is of the most urgent necessity, and no effort should be omitted to accelerate completion. It may be observed, that the Ordnance survey of Ireland must, in the course of a few years, have been undertaken by that department, and that by hastening the period of its execution for the important purposes of the Irish valuation, there will be, ultimately, no greater expense borne by the public. A limited number of persons employed, appears a questionable policy on the principles of economy, as the directing staff must be maintained no less for the control of a limited, than for the guidance of a more extended operation. It is satisfactory to your Committee to report, that the former surveys, carried on under Parliamentary authority, have established in Ireland a school of scientific topography. Whether it may be expedient that any of the respectable civil engineers of Ireland should be employed, under the authority of the Ordnance, it is altogether for that Board, in its discretion, to determine; but your Committee perfectly agree with Major Colby, that a central and effectual control is indispensable to the successful termination of this undertaking. The best scale for effecting the intended survey appears to your Committee that of six inches to the English mile; this will afford sufficient means to the engineers to enter into all the detailed information requisite; it is the scale on which the Ordnance survey of Kent was originally commenced. With respect to the engraving, it may be advisable to follow the same scale adopted in the British maps. A protraction upon a double scale of twelve inches to the mile for cities and great towns, where the valuation must necessarily be more minute, has been recommended, and appears desirable. The altitudes of the principal moun-

tains should also be given, as well as the boundary of the unenclosed lands, whether bog, mountain, or rock. The latter will correspond to the distinction traced on the Ordnance map, between cultivated lands, commons, and woods.

Your Committee have learned that the hydrographic charts, now extant, of the coasts and harbours of Ireland, are inaccurate and unsatisfactory. Combined operations between the Admiralty and the Ordnance, for the purpose of furnishing information so important to the public interests, have already been suggested, and your Committee trust that the views of the Admiralty, contained in the secretary's letter of the 22d day of April, may be carried into effect. The soundings of the harbour of Plymouth have been laid in with advantage, both with regard to economy and to dispatch, by making use of the points ascertained trigonometrically by the officers of the Ordnance.

Your Committee are of opinion, that the new survey should supersede all local topographical proceedings, whether under the authority of grand juries, or otherwise. It is evident that the Ordnance survey will supply all that can be required for county purposes. And however creditable to the artists who have executed them, are the maps of Roscommon, Longford, Mayo, Kilkenny, and Dublin, yet most of the other county maps being laid down upon a variety of scales with very imperfect instruments, and without pretension to scientific accuracy, it would be unwise to continue operations so liable to objection, as well as so expensive in their execution.

With a view to the diminution of expense, your Committee are inclined to think that the Bavarian system is not an ineligible one, by which in-



dividual proprietors of estates are allowed to subscribe for copies of those parts of the map in which they feel interested. A survey, on the scale of six inches to the mile, might be applied to various purposes of private utility, more especially when combined with a valuation, and with the statistical information included in the population returns. The latter documents contain the number of families, houses, the size and description of farms; and, when accompanied by an accurate map and valuation, your Committee are inclined to hope they may furnish individual proprietors, at a moderate price, whether inhabitants or absentees, with valuable information respecting the condition of their estates, and the best means of improving them.

2. With respect to the valuation, your Committee are not as yet in possession of sufficient evidence to enable them to form a detailed plan, or to do more than to suggest some leading general principles; they, however, regret this the less, because the survey must necessarily take precedence, the basis of the valuation being obviously the proposed maps of counties, baronies, and parishes, divided into their respective townland. Tracings of these skeleton maps may be furnished, as the filling up of the triangulation proceeds. In effecting the valuation, your Committee conceive that these principles must be adhered to and combined.—Section 1. A fixed and uniform principle of valuation applicable throughout the whole work, and enabling the valuation not only of townland, but that of counties, to be compared by one common measure. Section 2. A central authority, under the appointment of government, for direction and superintendence, and for the generalization of the returns made in detail. Section 3. Local assistance, regularly organized,

furnishing information on the spot, and forming a check for the protection of private rights. In a future session it will be the subject of consideration, how far these principles are accurate, and in what manner it will be the pleasure of Parliament to carry them into effect.

Your Committee are fully aware of the difficulty of the proposed valuation, and how much consideration it will require in all its details. During the recess, they trust that the attention of the Irish government, of the magistracy, of grand juries, and of the proprietors of land, may be given to the question, and that early in the next session a bill may be introduced, likely to meet the assent of the legislature.

In concluding this report, your Committee must again repeat their recommendation, that the work may be proceeded upon with as much dispatch as is consistent with the accuracy of execution. It is not unworthy of remark, that all former surveys of Ireland originated in forfeitures, and violent transfers of property; the present has for its object the relief which can be afforded to the proprietors and occupiers of land from unequal taxation. The general tranquillity of Europe, enables the state to devote the abilities and exertions of a most valuable corps of officers to an undertaking, which, though not unimportant in a military point of view, recommends itself more directly as a civil measure. Your Committee trust that the survey will be carried on with energy, as well as with skill, and that it will, when completed, be creditable to the nation, and to the scientific acquirements of the present age. In that portion of the empire to which it more particularly applies, it cannot but be received as a proof of the disposition of the legislature to adopt all measures

calculated to advance the interests of Ireland.

PAPER DELIVERED IN TO THE COMMITTEE OF THE HOUSE OF COMMONS, BY SIR HUMPHRY DAVY, ON THE SALMON-FISHERIES.

1. There are two species of the genus *salmo*, caught in the salmon fisheries of Great Britain and Ireland.

The first, *Salmo Salar*, is by far the most important, as an article of food and commerce. It is distinguished from the second, *Salmo Eriox*, by its greater size when of the same age, by possessing a smaller and more pointed head, a more slender tail, greater diameter in proportion to its length, fewer and smaller spots, and other characteristic marks, well known to the water clist, but which it would be useless in this place to describe.

The *salmo salar* is the common *salmon*; the *salmo eriox* is known by different names in different districts, such as salmon peal, sowen, and bull-trout, but its most correct appellation is sea-trout.

These two species, when of the same size, are sometimes confounded by ignorant persons; but without minute examination, they are easily distinguished by an experienced eye. There is a very remarkable difference in their habits; the stomach of the sea-trout is generally found full at the time of its migration from the sea, whilst that of the salmon is as generally empty.

2. Fishes in general multiply their species by eggs, which are impregnated out of the body; and which require the contact of water saturated with air to render them productive.

Fishes that spawn either in the sea or lakes, almost always come to the shallows and deposit their eggs upon

vegetables, which by their agency keep the water saturated with air, and their season of breeding is in general that of most animals, in the spring; but the *salmo* genus (I speak of those individuals belonging to it, the habits of which are well known, and which are the subjects of this evidence) multiply their species in winter; and they require *running* water for this purpose, *water saturated* with air. It has been proved by the experiments of M. Jacobi, that the egg of a salmon or trout impregnated, will not produce a fish in still unchanged water; and that for this purpose, it must be constantly washed by fresh portions of water, in a rapid stream or under a fall.

3. These circumstances shew the necessity for that wonderful instinct of the salmon, which, preparatory to the breeding season, quit the sea and make their way through rapids, over falls, and through great lakes to the upper parts of rivers, where their eggs may be deposited in a pure aerated water.

The salmon requiring much food, and depositing a large quantity of spawn, generally occupies large rivers, having a number of tributary streams. The sea-trout, on the contrary, though found in large rivers, is more common in small ones, and scarcely ever penetrates so far into the interior as salmon. Sometimes, indeed, in very small streams, it deposits its spawn almost close to the sea, in gravel, where the stream meets the waves at high water-mark.

The different habits of the salmon and sea-trout are well demonstrated in the Moy, near Ballina, in Ireland. There is a large pile in this river close to the town, and below the fall a considerable stream joins the Moy. The salmon leap this fall; the sea-trout almost all spawn in the smaller stream, few miles from the sea.

4. Salmon begin to run up rivers generally in March, and continue migrating from the sea till October or November; but in the early spring, there are few in motion. In June and July they migrate in great number, and so in August and September, but this depends upon the seasons, and particularly the quantity of water in the river; the large fish seldom leave except in floods, unless late in the year, and the one-year-old fish are almost always most abundant in large rivers in July. The sea-trout, in respect to their breeding season, agree with salmon; but the period of their migration is usually later, particularly in small rivers.

The fish that come soonest into the water breed first: salmon have been known to spawn in the end of October, and I have seen them full of ova, even in March. It is stated, that the eggs produce young ones in about six weeks; and the young fish, when they have reached the size of smelts, take the opportunity of the first flood to go to the sea or brackish water.— Their great migration downward, is in March, April, and the beginning of May.

There is much reason for believing that the young salmon do not immediately go far from the river into the sea; for in August and September a fish exactly resembling them in form, and from ten to fourteen inches long, (called whitlings and whittings,) without visible ova or spermatric secretion, are found in salmon rivers, a mile or two from the sea, and which return to the sea, without attempting a farther migration. This seems to be a sort of glimmering of that instinct which, the next year, when they are fit for propagation, carries them, with an irresistible impulse, into fresh water, and to the most remote sources of it. The salmon of fifteen or eighteen months old is called, in Scotland,

Grilse. Grilse differ in size, probably from their different ages; those spawned first, under common circumstances, being of larger size.

The female fish, in spawning, deposits her eggs slowly on gravel; the male sheds a white seminal liquid upon them, and both fish cover the eggs with gravel. The male is most active in this operation, which hardens the extremity of the mouth, and bends it into the form of a hook.

As soon as the fish have spawned, they begin to move towards the sea, and take advantage, after they have somewhat recovered their weakness, to escape by the first floods, in February or March. The grilse that has spawned, after returning from the sea, is called a salmon. The growth of salmon, in the sea, is not accurately known, but they seem to double their weight in a season.

5. There is a general complaint of the diminution of the salmon in fisheries. In the Thames, it can scarcely be said to exist; and even in the Avon, the Severn, and the Trent, it is becoming comparatively a scarce fish. The great northern fisheries, and the Irish fisheries, are much less productive than formerly.

The simple remedies for this national evil are:—

1. To suffer more fish to spawn, and fish of all ages and sizes.
2. To prevent any fish from being killed in rivers after spawning.
3. To prevent the young salmon, or salmon-fry, from being killed.

As salmon, and salmon-trout, belong, in fact, to the river in which they were spawned, and as each variety of salmon, or salmon-trout, affects a particular river, and always returns to it; and as the old law of the country was framed upon this principle, salmon-fisheries never having been considered as *belonging to the coast*, all *stake-fishings* should be

abolished, as they enable persons having no interest in the river to cut off almost entirely the supply of fish; for salmon do not go far out into the sea, and always return along the coast, scenting out, as it were, their own river: and a strong net put across an estuary might destroy, in one year, the whole fishery of a river.

No cruives or weirs preventing the running up of fish should be allowed; that is to say, no close ones, but there should be a free passage for fish, so that early fish may go up as well as late fish.

No burning should be allowed in a river by which all spawning fish may be killed.

Nets should be limited to a certain size, so as to render it impossible to sweep a river.

No angling should be allowed in salmon rivers till May, and not after October.

The period of close-time should be extended.

H. DAVY.

May 8, 1824.

LIST OF THE WORKS OF ANCIENT ART WHICH WERE TAKEN FROM ROME BY THE FRENCH IN 1797, AND CARRIED TO PARIS.

*Statues.*

1. The Torso Belvedere.
2. Antinous do.
3. Hercules, with a Child in his arms; supposed to be Ajax.
4. Apollo Belvedere.
5. Laocoon do.
6. Meleager.
7. A colossal Nile, in a recumbent posture.
8. A colossal Tiber.
9. Cleopatra, or rather Ariadne.
10. Demosthenes, in a sitting posture.
11. Trajan, do. do.
12. Posidippus, do. do.
13. Menander.

14. Hygeia.
15. Phocion, the Athenian general.
16. An Amazon.
17. Adonis.
18. A crouching Venus.
19. Paris.
20. Apollo, with his lyre.
21. to 29. The Nine Muses.
30. A colossal Melpomene.
31. A semi-colossal Ceres.
32. Sphinx, of oriental granite.
33. Another, do. do.
34. Sardanapalus.
35. A Priest.
36. Tiberius.
37. Augustus.
38. A Discobolus.
39. Ditto.
40. Urania, in a sitting posture, five palms high.
41. Ceres, five palms high.
42. Antinous Capitolinus.
43. Apollo, with the Hippogryph.
44. Group of Cupid and Psyche.
45. A dying Gladiator.
46. Juno.
47. Pandora.
48. Faunus, by Praxiteles.
49. Zeno.
50. Flora.
51. Venus.
52. Antinous, represented as an Egyptian idol.
53. Torso of Cupid.
54. A statue of Hygeia of Nero Antico.
55. A Youth extracting a thorn from his foot, in bronze.

*Busts.*

56. Menelaus.
57. Minerva.
58. Cato and Portia.
59. Tragedy.
60. Comedy.
61. Jupiter.
62. Jupiter Serapis.
63. Antinous.
64. Hadrianus.
65. Oceanus.
66. Homer.
67. Ariadne.
68. Alexander.
69. Marcus Brutus.
70. Junius Brutus, in bronze.
71. A Sarcophagus, with figures of the Nine Muses, in bas relief.

72. Another, with do. representing the Triumph of the Nereids.
73. A Candelabra, with intaglios.
74. Another, do.
75. Another, do.
76. A circular Altar, with Bacchanalians.
77. A Tripod in marble, with intaglios.
78. A Cippus, with embellishments.
79. Another, do.
80. A Curule Chair.
81. Another do.
82. A capacious Vase, or Bell, of Basalt.
83. Another Tripod, in marble.
84. An ancient Seat of Rosso Antico.
85. Another, do. do.

*Paintings.*

1. The Transfiguration, by Raphael.
2. A Madonna of Voligno, by do.
3. St Petronilla, by Guercino.
4. St Jerome, by Domenichino.
5. A dead Christ, carrying to the sepulchre, by Caravaggio.
6. A dead Christ, from the Church of St Francisco Aripa, by Caracci.
7. St Erasmus, by Poussin.
8. The Martyrs, by Valentino.
9. The Ladder of St Benedict, by Andrea Sacchi.
10. The Miracle of the Corporal, by do.
11. Fortuna, by Guido.
12. St Gregory, by Caracci.
13. The Descent from the Cross, by Boracci.
14. The Virgin in Heaven, by Perugino.
15. The Virgin crowned, by Raphael.
16. A Chiaroscuro, representing the Three Virtues, by Raphael.
17. St Cecilia, by Raphael.
18. The Martyrdom of St Agnes, by Domenichino.
19. The Rosary, by do.
20. St Petronius, by Caredone.
21. The Massacre of the Innocents, by Guido.
22. The Purification of the Virgin, by do.
23. The Annunciation, by do.
24. The Circumcision, by Guercino.
25. and 26. St Joseph asking pardon of the Virgin, by Tiarini.
27. The Assumption, by Hannibal Caracci.
28. The Apparition of the Virgin, by do.
29. Christ calling St Matthew, by Ludovico Caracci.

30. The Virgin appearing to St Dominick, by L. Caracci.
- &c. &c. &c.

*N. B.*—The above list is imperfect in regard to the paintings, the undersigned not having been enabled to enter the Museum for the purpose of correcting it. It will therefore be necessary to add, to it some other paintings, which, whether exhibited or not, are the property of Rome, and of the Papal States. Of the latter an accurate list is expected every moment.

The five hundred manuscripts will be easily recognized by their marks, which are peculiar to the Vatican Library, whence they were taken. To these must be added likewise, the medals, prints, cameos, and Christian antiquities, of which the Vatican Museum was despoiled, independently of the articles rendered under the armistice previous to the treaty of Tolentino. The latter articles alone would amount to a sum of about seven millions of francs.

(Signed)

CANOVA,  
Perpet. Superintend. of the Acad.  
for Fine Arts of Rome.

Paris, Sept. 29, 1815.

PAPERS RELATING TO THE ANGERSTEIN COLLECTION OF PICTURES.

Copy—Treasury Minute, dated 23d March, 1824.

The Earl of Liverpool acquaints the Board, that his Majesty's Government having deemed it to be highly expedient that an opportunity which presented itself of purchasing the choice collection of pictures belonging to the late Mr Angerstein, for the use of the public, should not be lost, he has entered into a negotiation with the executors and representatives of that gentleman, and has concluded an agreement for the purchase of the whole collection, of which he delivered a catalogue to the Board, for the sum of 57,000*l*.

Lord Liverpool farther states to the Board, that he has made an arrangement with the executors, and with Mr J. J. Angerstein, for the occupation of the house in Pall-Mall, where the pictures now are, during the remainder of the term for which it is held by Angerstein, at the rent which he pays for it.

His lordship farther states, that he found, after a careful inquiry, that in order to provide for the security and due conservation of the pictures, and for giving access to the public to view them, whilst they remain in their present situation, the following establishment will be necessary.

A keeper of the gallery, at a salary of 200*l.* per annum. To have the charge of the collection, and to attend particularly to the preservation of the pictures; to superintend the arrangements for admission, and to be present occasionally in the gallery; and Lord Liverpool is of opinion, that the person to be appointed to this office should be competent to value, and (if called upon) to negotiate the purchase of, any pictures that may in future be added to the collection, &c. &c.

An assistant keeper or secretary, at 150*l.* per annum. To attend in the gallery on the public days during the hours of admission; to issue the tickets of admission; to superintend under the direction of the keeper any arrangement which it may be necessary to make respecting the artists who may be permitted to study in the gallery; and, to act as secretary at all meetings of the trustees or other managers of the gallery, &c.

A respectable person to attend in the two principal rooms during the time of public view, to prevent persons touching or injuring the pictures, may receive two guineas per week.

A person to attend the lower room

containing the English pictures, two guineas per week.

A porter to attend in the hall to receive the tickets of admission, and to take charge of sticks and umbrellas: this person to reside in the house, at a salary of 80*l.* per annum.

A housemaid to attend the fires, and to clean the apartments; to reside in the house, at a yearly salary of 40*l.*

It will be requisite to have coals, candles, and a small quantity of stationery.

He recommends, therefore, that an estimate be prepared, to be laid before Parliament, for a vote to defray the purchase of the pictures, and for the charge of the above establishment, and to cover the exigencies thereof for one year.

My lords concur in opinion with Lord Liverpool as to the expediency of this purchase, and as to the establishment required under the present circumstances, for the care of them, and the custody of the gallery, and desire that an estimate be prepared and laid before Parliament accordingly.

*List of the Pictures of the late J. J. Angerstein, Esq. in Pall-Mall.*

1. The Embarkation of the Queen of Sheba—Claude.
2. The Marriage of Rebecca—Claude.
3. Ganymede—Titian.
4. The Rape of the Sabines—Rubens.
5. The Emperor Theodosius expelled the Church by St Ambrose—Vandyke.
6. St. John in the Wilderness—A. Carracci.
7. Susannah and the Elders—Lud. Carracci.
8. A Bacchanalian Triumph—N. Poussin.
9. Armenia with the Shepherds—Doménichino.

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|--|--|
| 10. Philip the Fourth of Spain, and his Queen—Velasques. | 24. A Landscape with Cattle and Figures—Cuyp.    |
| 11. Venus and Adonis—Titian.                             | 25. Apollo and Silenus—A. Caracci.               |
| 12. Landscape, "Morning"—Claude.                         | 26. Holy Family in a Landscape—Rubens.           |
| 13. An Italian seaport, "Evening"—Claude.                | 27. The Portrait of Rubens—Vandyke.              |
| 14. The Raising of Lazarus—Seb. del. Piombo.             | 28. Studies of Heads—Correggio.                  |
| 15. A Concert—Titian.                                    | 29. Studies of Heads—Correggio.                  |
| 16. Pope Julian the Second—Raphael.                      | 30. } The Marriage a-la-mode—Hogarth.            |
| 17. Christ on the Mount—Correggio.                       | 31. }  |
| 18. Portrait of Govartius—Vandyke.                       | 32. }  |
| 19. The Nativity—Rembrandt.                              | 33. }  |
| 20. The Woman taken in Adultery—Rembrandt.               | 34. }  |
| 21. The Embarkation of St Ursula—Claude.                 | 35. } The Marriage a-la-mode—Hogarth.            |
| 22. Abraham and Isaac—G. Poussin.                        | 36. Portrait of Lord Heathfield—Sir J. Reynolds. |
| 23. A Storm on Land—G. Poussin.                          | 37. The Village Holiday—Wilkie.                  |
|  | 38. Portrait of the Painter—Hogarth.             |

### ACCOUNT OF THE BUILDING OF CHURCHES AND CHAPELS.

*An account, shewing the number of Churches and Chapels which have been already built—are now building, and which are about to be built, in each Diocese, under the direction of the Commissioners appointed to carry into effect the provisions of Act of the 58th Geo. III. c. 45.*

London,	built	5	Litchfield and Coventry,	built	4
	building	11		building	3
	to be built	10		to be built	1
		—26			— 8
Winchester,	built	4	Gloicester,	built	1
	building	8		built	1
		—12	Bath and Wells,	built	1
			Rochester,	building	1
					— 2
N.B. Seven of these churches are building in the neighbourhood of London; namely, four in the parish of Lambeth; two in the parish of Newington, and one at Bermondsey.			Canterbury,	building	1
			Bristol,	built	1
			St Asaph,	built	1
			Worcester,	building	1
				to be built	1
					— 2
Chester,	built	4	Lincoln,	building	1
	building	18		building	2
		—22	Durham,	building	1
			Exeter,		
York,	built	2			
	building	15			
		—17			
			Total, *		98

Office of Commissioners for New Churches.  
27th March, 1824.

WM. RICHARDSON,  
in the absence of the Secretary.

## II.—LEGAL CHRONICLE, OR RECORD OF REMARKABLE TRIALS AND LAW PROCEEDINGS.

### TRIAL OF JOHN SMITH, MISSIONARY AT DEMERARA.

*Proceedings of a General Court Martial, October 13.*

The President, Lieutenant-General Stephen Arthur Goodman, half-pay 48th regiment, and commandant of the George Town brigade of militia.

The Court was duly sworn, and proceeded to the trial of John Smith, a missionary, on the following charges.

1. That he, the said John Smith long previous to, and up to, the 18th of August now last past, did promote, as far as in him lay, discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers, and overseers, he, the said John Smith, thereby intending to excite the said negroes to break out in such open revolt and rebellion against the authority of their lawful masters, managers, and overseers, contrary to his allegiance, &c.

2. That he, the said John Smith, having, about the 17th day of August

last, and on divers other days and times theretofore preceding, advised, consulted, and corresponded, with a certain negro named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of Demerara and Essequibo; and, further, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he, the said John Smith, did further aid and assist in rebellion, by advising, consulting, and corresponding, touching the same, with the said negro Quamina, &c.

These charges were varied in two other counts.

The prisoner pleaded not guilty.

### SECOND DAY.

The Court having met, the Judge-Advocate addressed the Court, and then proceeded to call evidence in support of the charges.

*John Stewart* having been sworn, deposed that he knew the prisoner, and that a book then produced was in his handwriting. The prosecutor



then drew the attention of the Court to several passages of the book produced to the court, among which were the following :—

“ November 17, 1821.—Yesterday evening we had not more than 50 at the chapel ; indeed, I cannot expect many more till the coffee and cotton are gathered in. The people have scarcely any time to eat their food ; they have none to cook it, eating for the most part raw yellow plantains. This would be bearable for a time, but to work at that rate, and to be perpetually flogged, astonishes me that they submit to it.”

Again, page 17,—“ September 13, 1817. This evening a negro, belonging to ———, came to me, saying the manager was so cruel to him that he could not bear it. According to the man’s account, some time back, (two or three years,) he, with a few others, made complaints of the same thing to the fiscal, on which account the manager has taken a great dislike to him, and scarcely ever meets him without cursing him as he passes by ; the punishment which he inflicts on him is dreadfully severe ; for every little thing he flogs him. I believe Ned to be a quiet harmless man : I think he does his work very well. A manager told me himself that he had punished many negroes merely to spite Mr Wray. I believe the laws of justice which relate to the negroes are only known by name here ; for while I am writing this the driver is flogging the people, and neither manager nor overseer near.”

“ Friday, August 8, 1817.—A great number of people at chapel. From *Genesis*, xv. 1. Having passed over the latter part of chapter xiii. as containing a promise of delivering from (these two words partly erased, but perfectly legible) the land of Canaan, I was apprehensive the negroes might put such a construction upon it

as I could not wish ; for I tell them that some of the promises, &c. which are made to Abraham and others, will apply to a Christian state. It is easier to make a wrong impression upon their minds than a right one.”

The examination of witnesses on both sides lasted till Friday the 14th November. The following are some of the principal heads :—

*Bristol, called and sworn.*

Were you in Bethel chapel the Sunday immediately preceding the day the revolt broke out ?—Yes, at both services.

Do you recollect the text ?

In the forenoon service, I believe, he read something about Jesus looking upon the city of Jerusalem and weeping.

After service was over, did you go straight home ?—No, I did not.

Where did you go to ?

We stopped close to the chapel a little while, when we heard Jack and Joseph talking about a paper that had come from home, that the people were all to be made free. Emanuel told Quamina, that he had better go and ask Mr Smith about it. And when Quamina was going into Mr Smith’s house, I went in with him ; and when we went in, Quamina asked Mr Smith if any freedom had come out for them. Mr Smith said, No, but that there was good law come out for them, but no freedom for them ; he said, You must wait a little, and the governor and your masters will tell you about it. Quamina then said, that Jack and Joseph were speaking very much about it, and he said that they wanted to take it by force ; he (Smith) told them to wait, and not be foolish. How do you mean that they should take it by force ? you cannot do anything with the white people, because the soldiers will be more strong than you, there-  
A

fore, you had better wait. He said, Well, you had better go, and tell the people, and Christians particularly, that they had better have nothing to do with it; and then we came out; and I saw a man belonging to Vigilance remaining at the church; I called him; Quamina began to speak to him, and asked me if I had any money in my pocket? I told him two bits; he told this man; then giving him the two bits, Run up as fast as you can, and call down Joseph; Mr Smith wants to see him. I then went home, and told Manuel that I had seen Mr Smith, and that he said there was no freedom in the paper for us, and that we must tell all the people so. I told him that we had sent to call Joseph already; a little while after, Jack and Paris came up to the back buildings of Chateau Margo, and Manuel told them that Mr Smith had told them not to have anything to do with this business, and that Manuel had been telling them so before; Jack and Paris said, "Well, do you have nothing to do with it; you are cowards."

*John Baillie*, servant to Mr Chapman, drove some gentlemen to Le Resouvenir on the night of the insurrection.

Did you speak to the prisoner, or did he speak to you?

We had put the horses into the stable; we went to look after them; we came back to the carriages, and the prisoner came down and asked us in; we went in, John Aves, myself, and two black men.

After you went in, did any conversation take place?

When I went in first, I said, What piece of work is all this? and he asked me what I meant by a piece of work? I said, about the negroes rising; and it is very extraordinary we should not hear of it in town before it came to the point. He made an-

swer and said, I have known about this this six weeks. Something very strange, said I, that we could not hear of it in town, and you heard of it six weeks ago! Then I asked him, what he thought the grievance was? He said, he could not blame the negroes much, for they were worked day and night, and all Sunday; and that the manager on that estate had given a cat to the drivers as well as the whip, and would not allow them to go to chapel; and that there were to be no negroes flogged in the field, and no women flogged at all, only to be put in the stocks. He had papers in his house to that effect from home. I asked him, what time this disturbance took place? He said, about seven o'clock, when they came from their work. He said, he had been busy writing all day, and he merely walked out about half past six to straighten his legs, and there he saw the negroes well armed with muskets, cutlasses, and things like pikes; that fifty able negroes had surrounded the house, and taken six muskets, and what ammunition they could get; he said, the two overseers ran to him for protection, but the manager was away. I asked him if he was not afraid to stop in the house alone? he said, No, they did not trouble such people as him; that is all.

*John Aves* was invited along with the above witness.

Did any conversation take place? — Yes.

State it.

I said, It is a terrible thing this rising of the negroes. He said, This is a thing that has been expected these six weeks. I asked him what time it began? He said, he supposed about seven o'clock in the evening; that the negroes, some of them, rung the bell, and some blowed the shell, and that was the alarm. About 50 strong able men went round the manager's house,

and demanded the arms of the house; all they wanted were the arms—they did not wish to harm the managers, and they got six muskets out of the manager's house. The two overseers came over to him for protection; I asked him what the negroes wanted. He said, they wanted their Saturday and Sunday. He said, that there was an order sent out from government, that all whips were to be laid down; no whips to go into the field; the whips were to be hung up in the manager's house, and if they did anything, complaint was to be made to the manager, and he was to punish them if he saw fit; instead of that, the manager on that estate, gave the drivers cats with the whips, and he said, he would use them whilst he was able, and he had papers in his house to that effect. I am not positive these are the words, but these are the words I heard Mr Smith say.

Who held the conversation with Mr Smith?—Sometimes I asked the question, sometimes Mr Baillie, who drew a chair next to him, and I walked about.

Did you hear all the conversation between Mr Smith and Mr Baillie on that evening?—No, I did not.

When you first went in, were you present, and in hearing of the conversation that took place about the revolt?—I was.

Was Baillie present, and in hearing of all the conversation that took place between you and Mr Smith?—He was within hearing.

Was Baillie present, or in hearing, when Mr Smith told you, "this is a thing that has been expected these six weeks?"—Yes, he was in the room with me.

Did you, during that evening, hear Mr Smith say that he had known of the revolt for six weeks?—No, I did not hear that.

In what tone of voice did Mr

Smith speak on that evening?—He spoke very low; I never heard him speak before or since.

Could he be heard all over the room in which you, and he, and Baillie, were talking?—I don't think so.

Had you and Baillie afterwards any conversation relative to what passed on that evening at Mr Smith's?—Baillie said, he thought Mr Smith was a very curious sort of gentleman. He said, he asked Mr Smith if he was not afraid to stop there by himself; and Baillie said, he told him they did not trouble such people as them; he made answer and said, he supposed him to be some Methodist parson, or something of that.

#### *Lieutenant Nurse.*

To what corps do you belong?—1st battalion Demerara-militia.

Were you on duty at Felicity, on Thursday after the revolt broke out?—I was.

Who was commanding officer?—Captain M'Turk.

Did he give you any order on that day?—He commanded me to repair to Mr Smith, and demand his immediate attendance at plantation Felicity; for the reports which he received concerning the strength and intention of the insurgent negroes in the neighbourhood, were of so alarming a nature, as to call for the assistance of every white and free coloured person in the district, to bring them back to their allegiance, and restore tranquillity to the country. I was also desired to state to prisoner, that if he had no arms of his own, he should be supplied with them at the post Felicity; and that the duty which he should be required to perform, should be made as easy and comfortable for him as circumstances would allow. That, with respect to his lady, she could, if she pleased, accompany him to Felicity, where a comfortable

apartment should be provided for her accommodation, and every respect and civility be shewn her; or, if she wished to be removed to George Town, or to any estate, an escort of troops would be appointed to conduct her there in safety.

Did you deliver these orders to the prisoner?—I did—in person.

Where?—At his residence on plantation Le Resouvenir.

What reply did the prisoner make?—His reply was, that he would not obey the order of Captain M'Turk; that he had no authority to issue such an order, and that if he had, he would not obey it, as his clerical character or vocation exempted him from militia-duty. He concluded by saying, that he was much obliged to Captain M'Turk for his kind promise of civility to his lady and himself, but that he should not avail himself of it: That their circle of acquaintance was small, and he had no wish that his lady should be removed from Le Resouvenir, or to quit it himself; for, notwithstanding the disturbed state of the country, and of that state in particular, on which there were no other whites than Mrs Smith and himself, he considered he was as safe there as he would be in George Town, or in any other house or estate in the colony. \*

Did he then persist in his refusal to obey you?—I repeated my order; and, finding that he persisted in disobeying it, I asked him whether he knew that martial law had been proclaimed by the governor? He replied, he did; and then asked him if he had seen *one of the proclamations*? He said, he had. I begged to know if he had it in the house at that time? He answered in the affirmative. I asked him to shew it to me; he said he would, quitted the room, went up stairs, and returned with the proclamation, which I read to him. I rea-

soned with him on the impropriety of his conduct, and his refusal to obey Captain M'Turk's order, when he knew that the law was now absolute, and admitted of no distinction, as appeared by the proclamation of the commander-in-chief. He persisted in his refusal to obey, and told me, that, for his part, he did not know what martial law meant: That, after he had read the general's proclamation, he referred to his Encyclopedia for the definition of the term martial law; and, when he had read the explanation given of it in that work, he was just as wise as when he had finished the perusal of the general's proclamation. I again warned him of the consequences of his conduct, and requested, that he would allow me to explain what martial law was, and, perhaps, he would understand it better from me than he had done from his Encyclopedia. He said, he had no objection to hear my definition of it; and, when I had explained to him the positive and absolute nature of the law, and that it was his duty to comply with the orders of Captain M'Turk, or of any other officer employed by the commander-in-chief; that his clerical avocations did not exempt him, the inhabitants of the colony being called upon, without distinction, to take up arms; he answered, I differ from you in opinion, and I do not intend to join any troop or company, or to do any militia-duty.

Did Captain M'Turk give you any further orders?—Yes; that in the event of his refusing to join the post at Felicity, not to enforce that order *by personal violence or arrest*, but to ask the prisoner for his papers and manuscripts, for the purpose of being sealed up; and, if he refused to comply with that order, I must resort to force, and carry it into execution. The prisoner agreed that I should seal his papers up, observing, that he

had nothing to fear from a fair and impartial examination of them.

During your conversation, was there anything peculiar in his manner?—It was very supercilious.

Did you go alone?—No, I carried a serjeant and twelve men.

Did you seal up the papers?—I did.

What were your further proceedings?—He made several observations as to Captain M'Turk's and my conduct in doing so, telling me, that we did it at our peril. He asked permission to retain several manuscripts, among which were several sheets sown together, which he called his class-books. These, he observed, would be of very little consequence to us or our purpose, as they contained private memorandums as to the names of several negroes who had attended the chapel regularly, and had contributed, by pecuniary aid, to its support; that these periodical donations were set opposite to their respective names. I told him, I supposed he would feel no reluctance in giving up these documents for examination, as, upon inquiry, I had no doubt that those negroes who possessed the advantage of a regular attendance at his chapel, would be found to be so much improved and benefited by his religious instructions, as to have taken no part in the revolt. He smiled, and answered, that I would be mistaken, as he knew that would not be the case. He was also reluctant to give up a letter which he stated he had received a short time previous, and had not yet replied to it. I insisted on taking everything in manuscript; and, after some farther hesitation, he gave me up the letter in question, observing, that it was from his friend and brother, Mr Wray of Berbice; that it contained pleasing information as to the manner in which the inhabitants of that co-

lony had met the views of the government and the people of England, in ameliorating and improving the condition of the slaves, and by allowing them the part or whole of Saturday—I don't recollect whether he said the part or whole—and if the people of this colony had acted with the same liberal and generous feeling, the revolt which had occurred would never have taken place. I proceeded to collect his papers, and put them in a desk and drawer, which I sealed up; and having cautioned him against a violation of those seals, I proceeded to Felicity, and reported to Captain M'Turk. He ordered me to go to the Brothers and tell Captain Simpson that he had refused to obey his orders; and that he was to come up to Felicity, with his troop, as it would be necessary to arrest the prisoner, and send him to headquarters.

*Lieutenant-Colonel Leahey.*

Do you remember the revolt of the negroes, which broke out on the east coast of this colony in August last?—Yes.

Had you any duty to discharge on that occasion?—I was sent up the east coast, on the evening of the 19th, in consequence of the revolt of the negroes.

Did you come up with them, or meet any of the revolted negroes?—I came up with them at Bachelor's Adventure; we met there rather; they were coming down.

Had you any, and what conversation, with the revolted negroes?—I had, on the morning of the 20th, Bachelor's Adventure; they assembled outside on the road, in very great numbers on the bridge; they were armed with cutlasses, muskets, blunderbusses, and pistols; the soldiers under my command stood to their arms, and I went out to the bridgeto

talk to those people, to persuade them to return to their work, and lay down their arms. I was conducted to the party assembled on the night, by some man, who promised nothing should occur to me; after conversing with that party, they accompanied me to the party assembled this side Bachelor's Adventure. The negroes spoke differently as to what they wanted; some wanted three days, and the Sunday to go to church; some wanted two days, and the Sunday to go to church; some said they wanted their freedom; and some wanted to tie me up. I explained to them, that I would use my endeavours with General Murray, to get them part of Saturday, and to go to church, but that first they should lay down their arms. Farther, some of them said, that when they did ask leave to go to church on a Sunday, they got punished for it; got cotton to gin, and the middle paths to clear the grass away. That when they complained of it, they were told by Dr M'Turk that it was the governor's order; when to Mr Spencer, that it was the local's order. I told them, of course, that they could not come into town, in consequence of martial law, but that I would tell the general of it, and hoped they would lay down their arms; Jack and Telemachus and Seaton and Tom Gibson promised to communicate to them what had been said, and I went up to my troops again. In half an hour afterwards, seeing that they were not inclined to lay down their arms, I went out again, and requested some of them to tell Telemachus and Tom Gibson, and some of those who were about me, to come; I wanted to know the reason why they did not lay down their arms, but the people who then came out to me, said they wanted to be free; in consequence of which I marched out the troops for the purpose of dispersing them.

Did you not make some memorandum or other of what the people told you?—I have, as near as I can recollect, made a memorandum, but have told, as near as I can, the substance to the Court; I have since destroyed it as useless.

Was there no other grievance stated by the negroes, except those you have already stated?—None that my memory can recollect.

*Rev. W. S. Austin, Minister of the Established Church.*

Do you remember the revolt which occurred in August last?—Yes.

Did you go up the coast on that occasion?—I did.

Did you see any of the revolted negroes? if yea, did they say anything particular?—I saw many of the revolted negroes with Lieutenant Peddie and his party. I met two or three on Monday night. On Wednesday morning, about six o'clock, I disembarked from a schooner on the coast opposite, or nearly opposite, plantation Lowlands. I was on my way to Haslington, and met with a great number of the insurgents on the road. They were induced to come to me principally from their ascertaining who I was. I reasoned with one or two of the more intelligent, and said I was shocked at what had occurred, and had come up with a view of saving the lives of my fellow-creatures. I was anxious to learn the cause of such extraordinary conduct, and was particular and minute in my inquiries. I had received an impression that the prisoner, Mr Smith, was highly instrumental in the insurrection, and proceeded to inquiries. A variety of reasons were given, which I do not consider necessary to recapitulate, farther than they apply to the prisoner. I must add, that in no one instance amongst my numerous inquiries did it appear; or

was it stated, that Mr Smith had been, in any degree, instrumental to the insurrection. A hardship of being restricted from attendance on his chapel, was, however, very generally the burthen of complaint.

Will you be pleased to state the other reasons, as you have said that the restriction upon attending Mr Smith's chapel was one?—The inquiry was either made in my presence, or by me, of one of the insurgent party. It was in answer to some observation, that bloodshed had not marked the progress of the insurrection; the answer to that was, "It is contrary to the religion we profess; we cannot give life, and therefore we will not take it."

Do you remember any negroes, previous to the revolt, coming to you from the east coast?—Yes, I do.

What was the object of their coming to you?—To make a complaint, as they termed it, of the ill treatment they had received from an individual, whom I presume it will not be necessary to mention.

Will you state the nature of those complaints, and how many negroes there were?—The nature of their complaint was put in the shape of an appeal to me as a minister, whether it was not a very great hardship that their religious duties should be interfered with; whether they ought to be prevented attending Mr Smith's chapel; whether their evening meetings on their estates for religious purposes were improper; whether their reading of the Bible was improper; an instance having been quoted by one of them of his bible having been taken from him. I first inquired why they had not gone to the governor or fiscal with their complaint; they stated some case which had occurred, I think, a short time before, of some complaints having been made, and not attended to. In hopes of settling

it in a quiet and amicable manner, I waited on Mr Harper, and stated all that had been said to me, requesting him to take it in his hand and arrange it; giving as my reason the probable indelicacy there might be in my interference between master and slave, that master being a stranger to me. Mr Harper declined doing so, giving me very satisfactory reasons. The complaints were uttered in a very extraordinary style and tone, and, after some consideration, I thought it necessary to report the circumstance to the governor; the number of negroes was considerable; I did not reckon them; the number was about twenty, men and women.

Did you ever see any of those negroes afterwards?—Not one of the party, except on the Thursday or Friday of the insurrection, when I saw two of the men on their own estate.

Did they state whether they made their complaint to the prisoner?—I remember asking them the question, and whether he had sent them to me. I cannot charge my memory; but I believe in neither case did they admit that they had referred their complaints to him, or that he had sent them to me. I believe I recommended them to speak to the prisoner on the subject, thinking, that as they were members of his congregation, he might have more influence in regulating their conduct than I could.

Did their complaints, and the manner of these negroes, give rise to any suspicion that anything might ensue?—I must say I did feel serious apprehensions from that, combined with other circumstances, and communicated them to the governor.

What were those other circumstances?—A variety of little circumstances between the negroes and masters: several reported differences

between Mr Smith and the manager and the burgher captains. Several instances of the exercise of undue authority by the masters over their negroes, and particularly that of punishing them for attending divine worship; these, I must observe, were reports to me, not circumstances for the truth or validity of which I can vouch; one particular occurs to my recollection—*Stopped by the Court.*

The examination of witnesses to prove the facts stated in the four several heads of charges enumerated on the first day, and of those on the part of the prisoner, lasted till Friday, the 14th of November, when Mr Smith made his defence, of which the following are the most important passages:—

“The first division of the first charge requires no evidence.—The second, that I have endeavoured to mislead the negroes, by misinterpreting the Scriptures, is disproved by Romeo, Bristol, Azor, Jason, Mary Chisholm, and London in particular. The third, that of taking money and presents from the negroes, it is true, has been proved; but they were given voluntarily, of their own free will and accord, as many of the witnesses have proved. The money collected for the sacrament was applied, as Jason has proved, in the purchasing bread and wine, and candles. The money collected for the Missionary Society, was regularly remitted. The planters knew of the collection, and not only allowed it, but some were themselves contributors, as proved by H. Van Cooten, John Stewart, and John Hamilton. Fourthly, It has been established that the sale of the Bibles was ordered by the Bible Society; and Mr Davis has proved, that he charged at the same rate for those he sold. Fifthly, That I have interfered with the treatment of the negroes.

Not a single instance of interference has been produced; but evidence to the contrary has been brought forward by me in my Journal, and by Mr Austin, independently of Bristol's evidence on this head. Sixthly, That I have taught them (the negroes) it was sinful to work, or go to market on a Sunday. Upon this head I think it has been satisfactorily shewn by the evidence of Romeo, Jason, Bristol, and Manuel, that though I taught the negroes, in obedience to the commandment of God, to keep holy the Sabbath, yet, I invariably advised them to a dutiful submission in performing their work, if assigned them even on Sundays. Seventhly, That I have taught them to disobey their masters. This is disproved by Bristol, Romeo, Jason, Mars, and Mary Chisholm, herself an owner of slaves.

“It is evident from the evidence, that I have always acted with the greatest uprightness and integrity; that I have gone farther, and conducted myself with prudence and caution, from the time of my arrival in the colony to the revolt; nay, Hamilton proves, that, even in the very midst of the attack on his house, I hastened to his assistance, and used all the means I possessed in his favour, that I exhorted the negroes to be quiet; it was all I could do.

“All the negroes, both for the prosecution and defence, who were questioned on this point, agree, that I always taught them to be obedient to their masters, and to submit themselves to all in authority over them; not an individual exception is there to this train of evidence. My journal, read from page to page, will not disclose one single passage emanating from bad feeling towards any individual. The vices and follies of some may have therein been reprobated, but even the reprobation of those per-



sons was confined to myself. I did not commit, in many instances, even their names to paper.

"It has been attempted, and in fact the whole drift of the prosecution of the charges, and of the questions of the prosecutor, was, to shew, that the religious negroes were the most refractory and rebellious. What do the certificates of baptism say? that only they were recommended by their owners, managers, or overseers, who behaved well, who were well disposed, and who were thought worthy of reward. Do not all these proofs, from even interested parties, clearly demonstrate, that the effect of religious instruction was beneficial? Independently of this, the witnesses, H. Van Cooten, himself a proprietor of one, and attorney of another large estate; and John Stewart, unwilling as he was to answer any questions, have sworn, that the religious negroes were the most obedient in general. Every planter, every master, can tell how very intractable and unruly is a dissatisfied negro—he will not be obedient. The series of written evidence proves, that those negroes who were allowed to attend the chapel, conducted themselves in a dutiful manner. Should any object that the certificates relate to the characters of negroes previous to their becoming Christians, Mr Haig's note will be a satisfactory answer. I quote from memory:—He says, 'I have hitherto refused to give such and such negroes a certificate of character in consequence of some that were baptised by Mr Wray behaving amiss; but as they now behave better, I comply with their request, and recommend them to you as well-disposed people.' Thus I think the very reverse of the first charge is manifested.

"It is a bold assertion, but not more bold than true, that there is not a

single negro witness upon any material point, either in support of the second, and third, and fourth charges, or in support of the defence, who is not either contradicted by himself or by some other witness."

Here he proceeded to compare the evidence, and pointed out many contradictions.

"Is this evidence," he asked, "sufficient to convict any individual of an offence; much more one of so high a nature as that with which I am charged? It is true, that it would seem as though these various tales had some foundation. I have stated clearly in the defence the simple facts from which all these various tales have sprung. Men who cannot remember simple facts, such as knowing whether any one was present during a conversation, or whether they left a house alone, or in company with another, are not likely to be very accurate in the narration of a conversation. Which of these witnesses is the one to be believed? they are all alike; they are all at variance with each other; and whether one is to be selected in preference to the rest, or all are to be discredited, is a matter to be determined solely by the court. I think I have shown, that it will require at least some discrimination to discover the one worthy of any credit. They cannot all be believed; not two of them can be believed together.

"Seaton and Bristol state they were standing in the back gallery, and I was in the hall, at some distance from them, when Quamina made his communication; this renders it highly improbable that the conversation with Quamina should produce any effect on my mind; for it was certainly a strange mode of making so important a communication, to be standing at a distance, which would necessarily require a louder tone of voice than ordinary. It appears also highly im-

probable, that a communication of so serious a nature should be made in the hearing of Mrs Smith, and four men who were standing near him. If he said anything about driving the managers or white people to town, it was not in my hearing. What passed between me and Quamina was in a loud tone of voice, and heard, though not heeded, by Mrs Smith, she being at the time attending to other concerns. I have already, in my defence, stated all that passed relative to the matter in question. How far the evidence, divested of its inconsistencies and contradictions, bears me out, I must leave to the judgment of the court. The evidence, in fact, is such as to render it impossible for any one to say, that from it alone the real truth can be ascertained. That negroes are not verbally accurate in general, is not only well known and proverbial, but has been proved by H. Van Cooten, a resident among them for fifty years; he swears he would not intrust even a common message to the memory of any one of them, for ten to one if they'd carry it correctly, though some might do so. I need not tell this court, that positive assertions alone are evidence in a case of this kind. Negroes may speak to facts, but in their notions of time and in verbal accuracy, they are miserably deficient; and even had there been no positive evidence on this point, it would have been apparent from the evidence of the whole of them on this trial. The whole conversation occupied but two or three minutes; and I had no conception that even negroes were so ridiculous as to have chosen such a time, and such a manner, to have given information upon any serious subject. I did not consider it as information, or I should have acted accordingly.

"I must observe, that it is impossible to come to a conclusion upon any one

of the charges, without taking the whole of the evidence into consideration; if this be done, it is manifest that neither myself nor my doctrines were the cause of the revolt; that my name was never mentioned by any of the negroes as being connected with the revolt. Mr Austin declares, he went up among the revolted negroes, prejudiced against me; yet, in his examination says, 'I must add, that in no one instance among my numerous inquiries, did it appear that Mr Smith had been in any degree instrumental in the insurrection.' Lieutenant-Colonel Leahey, who was in command of the whole coast, who was amidst the negroes on every occasion, and who had every circumstance worthy of notice conveyed to him, says, 'I do not recollect hearing the prisoner's name mentioned till I came to town.' Take, then, Hamilton's evidence, that of Stewart, Elliot, and Davies, and the certificates; and what will not their testimony weigh against a number of ignorant negroes, under the influence of their masters, under the fear of punishment for their conduct; and, therefore, glad to throw the blame upon any one rather than allow it to remain with themselves, as it really does? Contradicting themselves, contradicting each other, no two of them agree upon any material point. One would think that Quamina's motive for driving the white people, would have been remembered by four persons, in whose presence he is said to have asserted it, yet Bristol says, 'It was because the negroes' freedom had come out;' Peter, 'to see the court, to get the new law;' Shute, 'to get something good for the negroes,' and 'a day or two for themselves;' and Seaton remains silent on that point, assigning a direct falsehood, that he was not present.

"Bristol and Jason, witnesses called

by me, to prove when I read about Moses and Pharoah, say, about two or three months before the revolt. These witnesses could not read. London, however, who could read, and whose knowledge was tried by the court, proved that it was two years ago, the time stated by me in my defence. This is sufficient to shew how inaccurate is negro evidence in general; add to all this, the scantiness of the evidence against me, notwithstanding the immense exertions that have been made to procure it; that my defence was written upon my suggestion, before my counsel had seen my witnesses, and written on my own consciousness of innocence; that many of my questions have been bold, even to rashness, from any other than an innocent man; and, let me ask, what evidence is there before the court that is sufficient to condemn me?

"Gentlemen, to you my case is now confided. Whatever be your determination, I do, as a minister of the gospel, in the presence of my God, most solemnly declare my innocence."

The Prosecutor, in reply, gave a view of the constitution of the chapel, and observed:—

"Over a congregation thus modelled, the prisoner, it may be supposed, soon obtained great influence. Of this he himself boasted to Captain M'Turk; nor was it an empty boast, for the whole evidence before you, gentlemen, shews the truth of it. The various instances will, of course, not escape your observation, as I proceed; but, I shall not detain you by enumerating them here. I shall only point out, for the present, their contributions of money for purchase of wine for the sacrament, and the other purposes of the chapel, for repairs and enlargement of the chapel, for the Missionary Society in England, the purchase of books, the poultry, &c. and yams furnished by them to

the prisoner. The prisoner says, as to the presents he received, he gave more wine in return than compensated for them. It is strange that he should forget, that this wine was purchased by the negroes themselves for the sacrament, as Bristol proves; how does his giving away the wine, at their expense, mend the matter? does it not make it worse? for the more he gave away, the more must they have bought.

"The prisoner says, all these contributions were voluntary, and were given in consequence, solely, of his addresses from the pulpit; but this only establishes, still more clearly, his influence. It proves, that it was so great as to make the negroes, of all people on the face of the earth, part with their money freely, and not on any principle of force. Vast, indeed, must have been his ascendancy over the negro mind, when he could induce them to contribute their money to a society for spreading the gospel through distant regions, the very names of which were unknown to them. One of the great means, by which the prisoner obtained this influence, was by his being, at all times, ready to listen to their complaints against their masters, and to settle their disputes amongst themselves."

On the subject of working on Sunday, the Prosecutor observed:—

"The general precepts of obedience, on which he so much rests, are mere shadows, if they be not carried into the every-day practice of life. The negroes on the estate where Azor lived, seemed to have a certain task assigned them; some of them did not finish it on the Saturday, and took their Sunday to it. The case comes before the prisoner; he remains perfectly silent on the necessity of their doing their work on the Saturday, but he exclaims against them for putting their hands to it next day, and

working on Sundays, to save themselves being punished. Is this a lesson of obedience? 'You are fools to work for the sake of a few lashes.' Was this intended to raise in their minds a respect for their masters, or to make them look on his indignation as a thing to be dreaded? No, they were told to despise it. And, shall the man who acts thus, shelter himself behind such an excuse, as his preaching up at other times obedience to their owners?

"The very nature of the punishment which he inflicted upon the delinquents for Sunday work, was such as to make them look on their masters as beings under the curse of heaven.

"The working voluntarily on a Sunday, was considered such a crime, as to render the negro unworthy of partaking of the Sacrament. In what light must the masters have been held! And, is not this in accordance with the statement of Romeo—work if your masters force you—for they will have to answer for it. Could this lowering of the master in the eye of the slaves be intended to make them more obedient? Were they more likely to be submissive to men whom they believed exposed to the wrath of God?

"The negroes had been told, as Bristol and Manuel prove, that the enemy the Jews fought against and conquered, meant the men that did not believe in, or fear God—that Jerusalem was to be destroyed, because the men of that city did not believe in God. Was any good point to be gained by representing their masters as of much the same character?"

It was afterwards observed—

"Of all the negro population of this extensive colony, there are, perhaps, none who have fewer difficulties to contend with, than the negroes of the east coast; there are but few sugar-estates there, comparatively speaking,

the greater part being in cotton. With all these advantages in their favour, we find, that on the 18th August last, they rose in arms against their masters, and broke out into open rebellion. This rebellion commenced at Le Resouvenir, the residence of the prisoner, and Success, the next estate to windward; it spread up the coast for several miles, and down nearly to town; but it was confined entirely to the east coast, and to that part of the coast; it stopped on this side of Mahaica.

"To assign, as has been attempted, the late instructions from home as the sole cause of this revolt, will never bring us to the point. This is assigning a general cause for the production of a particular effect on a particular body of men. A general cause will produce a general effect; the same in all, unless there be some circumstances in the particular body of men, different from those of the rest of the community. And, therefore, if this were the proximate cause which operated on the minds of these men, there must have been something in the state of their minds very different from that of their fellow-colonists.

"Their minds must have been pre-disposed—they must have been ripe for rebellion before; and, therefore, the assigning this general cause only carries us a step back, but does not assist us in explaining the problem.

"If we inquire who were the rebels, we find that the principal leaders were, as nearly as I can gather from the evidence, Quamina and Jack of Success; Joseph and Telemachus of Bachelor's Adventure; Jack of Vigilance; Sandy of Nonpareil; Paul of Friendship; and Paris of Good Hope; all (save this last Paris) deacons, members, teachers, and attendants of Bethel chapel. If we carry this investigation farther, we find that the con-

gregation of Bethel chapel, previous to the revolt, went together to the middle walk of Success, and there laid their last and final plans for this rebellion; and that they were all, more or less, implicated in it. We find that plantation Success was the head-quarters of this rebellion; the estate, of which almost all the negroes attended Bethel chapel. We find, by the letter of Jack Gladstone, that all the brothers of Bethel chapel were engaged in it—in fine, go which way we will, we are brought up at last with Bethel chapel. This is almost the only bond of connexion to be traced amongst the leaders of this rebellion, their being attendants of Bethel chapel. It is a staggering fact—but it is a fact proved beyond the possibility of a doubt; and these leaders—who are they? the principal tradesmen on these estates; men in the confidence and favour of their masters, who knew the hardships of slavery only by name. Be the proximate cause what it may, there must have been some predisposing cause, operating on the members of Bethel chapel—something operating on them which did not operate on the negroes of the other coast.”

#### TWENTY-EIGHTH DAY.

*24th November, 1823.*

The Court having most maturely and deliberately weighed and considered the evidence adduced in support of the charges preferred against the prisoner, John Smith, as well as the statements made by him in his defence, and the evidence thereon; with respect to the first charge, to wit,—“For that he, the said John Smith, long previous to and up to the time of a certain revolt and rebellion which broke out in this colony, on or about the 18th of August, now last past, did promote, as far as in him

lay, discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers, and overseers, he, the said John Smith, thereby intending to excite the said negroes to break out in such open revolt and rebellion against the authority of their lawful masters, managers, and overseers, contrary to his allegiance, and against the peace of our sovereign lord the king, his crown and dignity,” is of opinion, that he, the prisoner, John Smith, is guilty of thus much thereof, to wit, “For that he, the said John Smith, long previous to and up to the time of a certain revolt and rebellion, which broke out in this colony on or about the 18th of August now last past, did promote discontent and dissatisfaction in the minds of the negro slaves towards their lawful masters, managers, and overseers;” but acquits him of the remainder of the said charge for want of sufficient proof in support thereof.

With respect to the second charge, namely, “For that he, the said John Smith, having, about the 17th day of August last, and on divers other days and times theretofore preceding, advised, consulted, and corresponded with a certain negro named Quamina, touching and concerning a certain intended revolt and rebellion of the negro slaves within these colonies of Demerara and Essequibo; and, farther, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he, the said John Smith, did farther aid and assist in such rebellion, by advising, consulting, and corresponding touching the same, with the said negro Quamina, to wit, on the 19th and 20th August last past, he, the said John Smith, then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein,” the

Court is of opinion, that he, the prisoner, John Smith, is guilty of so much thereof as follows, viz. " For that he, the said John Smith, having, about the 17th day of August last, and on one day theretofore preceding, advised, consulted, and corresponded with a certain negro named Quamina, concerning and touching a certain intended revolt and rebellion of the negro slaves within these colonies of Demerara and Essequibo; and, farther, after such revolt and rebellion had actually commenced, and was in a course of prosecution, he, the said John Smith, did farther aid and assist in such rebellion, by advising, consulting, and corresponding, touching the same, with the said negro Quamina, to wit, on the 20th August last past, he, the said John Smith, then well knowing such revolt and rebellion to be in progress, and the said negro Quamina to be an insurgent engaged therein;" and acquits him of the remainder of the said charge.

With respect to the third charge, " For that he, the said John Smith, on the 17th August last past, and for a certain period of time thereto preceding, having come to the knowledge of a certain revolt and rebellion intended to take place within this colony, did not make known the same to the proper authorities; which revolt and rebellion did subsequently take place, to wit, on or about the 18th of August now last past;" the Court is of opinion that he, the prisoner, John Smith, is guilty thereof.

With respect to the fourth charge, viz.—" For that he, the said John Smith, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on or about Tuesday and Wednesday the 19th and 20th August now last past, was at plantation Le Resouvenir, in presence of, and held communication

with Quamina, a negro of plantation Success, he, the said John Smith, then well knowing the said Quamina to be an insurgent engaged therein; and that he, the said John Smith, did not use his utmost endeavours to suppress the same, by securing or detaining the said insurgent Quamina as a prisoner, or by giving information to the proper authorities or otherwise; but, on the contrary, permitted the said insurgent Quamina to go at large, and depart without attempting to seize and detain him, and without giving any information respecting him to the proper authorities, against the peace of our Sovereign Lord the King, his crown and dignity, and against the laws in force in this colony, and in defiance of the proclamation of martial law issued by his excellency the lieutenant-governor;" the Court is of opinion, that he, the prisoner, John Smith, is guilty of so much thereof as follows, namely, " For that he, the said John Smith, after such revolt and rebellion had taken place, and during the existence thereof, to wit, on Wednesday the 20th of August now last past, was at plantation Le Resouvenir in presence of, and held communication with Quamina, a negro of plantation Success, he, the said John Smith, then well knowing the said Quamina to be an insurgent engaged therein; and that he, the said John Smith, did not use his utmost endeavours to suppress the same, by giving information to the proper authorities, but, on the contrary, permitted the said insurgent Quamina to go at large, and depart without giving any information respecting him to the proper authorities, against the peace of our Sovereign Lord the King, his crown and dignity, and against the laws in force in this colony, and in defiance of the proclamation of martial law is-

sued by his excellency the lieutenant-governor," and acquits him of the remainder of the said charge.

"The Court having thus found the prisoner, John Smith, guilty, as above specified, does therefore sentence him, the prisoner, John Smith, to be hanged by the neck until dead, at such time and place as his excellency the lieutenant governor and commander-in-chief may think fit to direct. But the Court, under all the circumstances of the case, begs humbly to recommend the prisoner, John Smith, to mercy.

(Signed) S. A. GOODMAN,  
Lt. Col. and Pres.

(Signed) J. L. SMITH, Jun.  
Assist. Judge-Advocate.

Approved,  
(Signed) JOHN MURRAY.

#### TRIALS OF THE NEGROES ENGAGED IN THE REVOLT AT DEMERARA.

##### *Trial of Prisoner Louis, belonging to Plantation Plaisance.*

(Court sworn—Ordinary charge.—  
Plea, Not Guilty.)

Thomas Blake examined by the Judge-Advocate.—I am manager of plantation Better Hope, and reside there. On Monday night, the 18th instant, about nine o'clock, a gang of men came up to the door of my dwelling-house; they wanted to enter the house. The Better Hope negroes kept them from entering for some time; they went away a little bit, blew a shell, and called in another gang of negroes, who overpowered the negroes belonging to our estate. They then began to break all the windows. As soon as I found this, I went up stairs into the chamber, and I locked the door. I re-

mained there about a quarter of an hour before the gang came up stairs. They endeavoured to force open the door, but could not; they broke through the partition to make a wider entrance. They instantly rushed in, and dragged me down stairs; there were so many, that I could not exactly discover who they were; they dragged me across the yard, till they got me to the stocks. This man Louis was very active, and assisted in putting me in the stocks. I told him to be careful what he was doing; he said he must do it, or they would do worse with him; I do not recollect if he was armed. There were about forty or fifty persons; some of them had cutlasses. I knew the prisoner before—I am sure he was one who assisted to put me in the stocks. The head driver of Plaisance was there; I could not say if he was a leader; his name is Tilla or Silla.

Cross-examined by the prisoner.—When the negroes brought you into the sick-house, with cutlasses in their hands, did I not too prevent their doing you any injury?—No.

When you were brought into the sick-house, did you not ask me if the negroes were going to kill you, and did I not answer—No, they will only put you in the stocks?—I do not recollect.

When you were in the stocks, did you not ask me for some water to drink, and did I not bring a basin of water to you?—Yes, you did.

When they were marching you to the stocks, did you not observe me behind you preventing their cutting you with cutlasses?—I cannot say you did.

Did you look behind you at the time?—No, I don't know that I did.

When I went afterwards into the sick-house to see my wife, who was sick there, did you not say, Louis, will you do me the favour to release

me from the stocks, and did I not say, I have not got the key?—You did.

When you said to me, Louis, you see what these negroes have done to me, did I not answer, I have not the power to prevent it?—All he said was, I cannot help it.

William Mercer, examined by the Judge-Advocate.—On the evening of Monday the 18th, I was on the plantation Better Hope, with the manager, Thomas Blake. It was intimated to us, that the negroes were rising on the adjoining estates, and we immediately put ourselves in the way of defence. The negroes of plantation Better Hope were assembled before the manager's door; they were repeatedly told by the manager and myself not to behave improperly, or to join the others who were approaching; to the best of my knowledge, it was between nine and ten o'clock. An armed body of negroes came into the yard, and immediately challenged one of our negroes, named Quamme—calling him to come and join them, which he refused to do as well as the rest of the Better Hope negroes; they instantly made an attack upon our negroes, who drove the first party from the front of the house. One of the negroes had a shell, which he blew and rallied the men again; a stronger reinforcement came from another building; they then attacked, and, in consequence of their numbers, overpowered the negroes of Better Hope; they immediately rushed into the house, and the prisoner Louis caught me by the throat, and dragged me out of the house. I was then surrounded by numbers with cutlasses; they began to chop at me, and chopped my hat in three different places, and knocked it off. [The hat was here produced, with three deep cuts right

through.] I then received three wounds on my head, on my way to the sick-house; they wanted to kill me at once, on my way there, but the man Louis and others prevented their so doing; he was one of the ringleaders, and reserved me to shoot me himself; when in the stocks, I asked him to give me a little water, if it was only to wash my wounds, which he refused, and said, the situation I was in was the best place for me; "that he could not help it; he was not the only one;" he was at that time armed with a cutlass. He left the sick-house with others, and some time after returned with others, and brought the manager with him; after the manager was confined, they remained some time in the sick-house. Another party then brought in a coloured man, who was working on the estate; he was likewise confined, and some one of the party was going to chop off his head in the stocks, but was prevented by the others; after staying some time, they released the coloured man, and went away; his wife belongs to Better Hope. I consider prisoner a ringleader, because he took a most active part, and said he would shoot me once or twice. I am confident prisoner is one who confined me in the stocks.

Cross-examined by the prisoner.—

When the negroes were dragging you from the house to the sick-house, did I not come forward and lay hold of your throat to prevent your being injured.—You laid hold of me by the throat, and prevented others killing me—saying you would shoot me yourself.—(I think witness here said next morning.)

When in the stocks, and you asked me for water, did I not give it you?—No; you refused me water to wash my wounds; it was brought by another negro.



By the Court.—I reside at Better Hope, and am overseer.

Defence.—The prisoner denies the evidence given against him.—Sentence, Guilty—*Death*.

*Trial of Prisoner Murphy, belonging to Plantation Foulis.*

(Court sworn.—Ordinary charge.—Plea, Not Guilty.)

Mrs Walrond examined by the Judge-Advocate.—Mary Walrond is my name. On the night of Monday, the 18th, I was at Nabaclis; we were alarmed, about four o'clock in the morning, by the firing of guns in the house, and breaking open of doors; our man-servant, Billy, rushed up stairs to me, and I insisted to go down to say something, if I possibly could, to soften them; he entreated me not to do so, because his master was killed, he believed, and both our overseers; I then ran to the window which opens into the yard, and threw it open; they immediately fired at me, and struck me in the arm. I perceived Mr Walrond was not killed, but only lying on the ground; I called out, and begged they would not kill him; they again fired at me, and wounded me in the hand; my servant Billy pulled me out of the chamber, and locked me in another room; just then they rushed up stairs; he then made his escape, and I was left. I requested to be taken to Mr Walrond; a tall man then protected me from the rest, and the man Sandy asked me if I knew him!—I said no. He told me, my name is Sandy, head-carpenter at Nonpareil; we intended you no harm; we are only determined to have our freedom. A man of ours, Joseph, then came up, and insisted I should be taken to Mr Walrond; I did go to the sick-house, where he was. I found

Mr Walrond and our overseer; the latter was wounded, and dying; they boldly insisted they did not murder him; a great many negroes came in occasionally; I think it was about 12 o'clock. On Tuesday, a man came in to see if Mr Walrond was safely locked; I asked him his name; he said it is Murphy, and that he belonged to Foulis estate; the prisoner was the man. I asked him what he intended; he said, not to murder me, and I continued questioning him for what purpose they committed this outrage; he said, to declare their independence—that something had come out in the packet, which they could not obtain. I asked him if there was no hope of relief from the governor, as I heard he was on his way up?—He said, Yes, he was last night—that the governor had held a parley with them at Good Hope, and that he told them if they were determined to proceed in the riot, not to take life; and said, further, that the governor was glad to run with his cavalry. I replied to him, such I could not think to be the case—I did not suppose he would be such a coward. The prisoner then replied, It was very true, and he then went on to speak of Mr Smith the parson. He said that they had put him in the stocks at his own request, as other white men had been placed there, to use his own expression, as a copy of countenance. I assured him there was no such thing as their freedom, and that they had been misled by Mr Smith, if he had preached such nonsense; and he said, Yes, that he had preached every Sunday that they were free, and their freedom was withheld by their owners; further he did not say. In my way down stairs, I was obliged to see Mr Tucker. As they seemed to possess some sentiments of religion, I thought of speaking to them of Mr Tucker's murder, which I had heard of, and

being obliged to see him on my way down. After recovering the first shock, I went up to his body, and asked them why they committed such an act? They then declared, that they did not kill him; that he had cut his throat himself; the man Joseph was standing by, and untied his cravat, and which proved that was not the case. The man Joseph took me to the sick-house, where I mentioned it to Mr Walrond. I did not see the prisoner at all violent; he had arms when he came into the sick-house; he had a pistol, carried it in his hand; I cannot say whether he had any other arms; he appeared to be one of the guards, because he came to examine the locks of the sick-house; he must have been there, I dare say, two hours; the prisoner sat at the door, and staid longer than any other, except the first guard. They came in with a paper about five p. m.; the first he (Mr W.) read and signed; the second he read to me, signifying it was a paper written by Mr Hopkinson.—[Papers handed to witness, and the second one identified.]—The first, witness cannot recollect; on reading the second, Mr W. replied to them, I cannot sign this paper, because you have committed acts of violence; you have murdered both our overseers, and I will not put my name to a paper to prove your good behaviour. A man then presented a pistol to him (he was standing just behind) and said, You may do it or not, just as you please; seeing that he would fire at him, I entreated him to sign it. When I was in the sick-house, where I found him on guard, the dying overseer called to me, and asked if I could get a doctor to dress his wounds. I went to the prisoner, and entreated him to get a guard, and bring Dr Goldie over to try and relieve and dress his wounds; and further to excite his compassion, I re-

quested him to look through a crevice of the door, which had been broken, and see the state of the overseer, and have mercy on him. The prisoner said, No, let him die. I found it useless to ask him any more, and he left me. The overseer died at twelve on Tuesday night, when I was sitting up with him; we were set at liberty again on Wednesday morning; I might have gone to the house, as far as I could judge, at any time, but I would not leave the overseer. Mr Walrond is proprietor of the plantation of Nabaclis; 284 negroes form the strength of the whole, to the best of witness's belief; Mr Reid had taken off, I believe, about £70, a week before this began.

Cross-examined by the prisoner.—Did I, when you asked me to have mercy on the overseer who was wounded, and to send for Dr Goldie to dress his wounds, say, No, let him die?—Positively yes; I am certain prisoner was the man; he said, No, let him die.

Are you certain that I had a pistol in my hand?—He had a pistol, I am certain. [Witness withdrew.]

Mr Walrond, examined by the Judge Advocate.—I was at Nabaclis on the 18th, at night. About half past nine, when we were retiring to bed, Mr Gainsfort, manager at Golden Grove, came riding into the yard, with a letter from R. Reid, stating a communication to the governor, of an intended insurrection; and, although not generally believed, recommending me to take arms and ammunition generally kept in the logic or manager's room, and have them with me in the house. Mr Robert Reid had retired to bed; I went up to his room, and showed him the letter; I told him I was determined to defend the property, and went out to the gin-house, where the two overseers were lodged—directed them to the dwell-

ing-house, with what arms and ammunition were there; four muskets were immediately put in complete order, which, with my fowling-piece and pistols, were the only arms we had; about sixty rounds of ball-cartridge in the cartouch-boxes. I directed that two should remain, one on each side of the gallery-door, two should remain behind the door of the hall, and that as one fired on one side, he should retire to the door within, and the other to take his place. The overseers took the watch, and we were in the hall on the settees: Reid and myself watched from one to four; I retired up stairs at four o'clock, and lay down, with my cartouch-box and everything on. Robert Reid in about ten minutes called out, Mr Walrond, they are at hand; at which time there was a most dreadful yell—more like a war-whoop (the most dreadful I ever heard)—I seized my fowling-piece, and was going to the place to repel them, and saw Mr Tucker fire from the inside of the house, direct from the door; and as I passed him, a shot was fired from the jealousy, below the door, and he received a wound through the body, and said, “O Christ, I am shot,” and immediately fell—I said, “Tucker, I hope not,” but he never answered. I took my place at the lower side of the hall door, and levelled at the man who had fired from thence; my piece missed fire, and did not go off, but I retired to the corner where the gun with the bayonet was, and my servant Billy handed it to me, just as Mr Forbes had fired. Forbes then turned, and was retiring to the inner room, but was shot immediately through the back—he cried out, “O God, I am shot,” and reeled to an arm-chair in the inner room. I met Mr Robert Reid retiring from the upper end of the gallery; he said, “Mr Walrond, it is of no use—us two

are opposed to numbers;” he went to the yard-window; not regarding what he said to me, I passed by him, and proceeded to the back steps, where I found numbers coming up; I immediately fired down the steps, and, as the piece I had was loaded with small ball, I think I wounded two; I was surrounded by numbers, seized by the collar on both sides, and dragged down the steps in a brutish manner. They raised me after I was down, and I begged for my life, as I thought they were going to kill me. The man on my right hand I thought to be my own man Prince, and said, “Prince, will you murder me in this barbarous manner?” He said, “I am not Prince, but I am your friend—you are a good man, love God, and have not debarred your negroes from having their meetings.” In my way, I was met by my servant Joseph, who said they should not murder me, and was then forced into a room. Soon after, they brought in Mr Forbes wounded, and forced me to the upper room, where the stocks were, and confined me in the stocks; they did not put the feet of Mr Forbes in; I begged them to have mercy, and take him out; they did so.—The gang had mostly left the yard, and a servant belonging to Mr Reid, head driver of the estate, called Jemmy, came and took my feet out of the stocks. Rodney, belonging to Bachelor’s Adventure, the guard over us, made some sign, and they returned; one of them chopped Jemmy on the little finger. Rodney was on guard all the day; very kind to me, by allowing my feet to be taken out of the stocks, but replaced them when any of them was coming into the yard. About five, or half past five, the gang returned, when I was replaced by Rodney, and the door locked; it was ordered to be opened, and I to be released, provided I would sign papers, which I

requested to see. I was taken out, and two papers were presented to me at the door. A man named Sloane held a pistol in his hand (he is now in confinement at Paradise;) another man, said to be Telemachus, presented me the papers—[Papers handed to witness, and identified]—On reading the second paper, I refused to sign it, and immediately Sloane cocked the pistol. Mrs Walrond whispered, "My dear, sign them," and I did so. I did not see the prisoner there, and know nothing about him. I am interested; two-thirds of the half 146 slaves are the number in which I am interested.

Mr H. Whitlocke examined by the Judge-Advocate.—I am manager and attorney of Foulis—the strength of the gang is 149. About twelve o'clock on the day of Tuesday, 19th, at the time I was in the stocks at Foulis, I saw this man, who came and said to the guard, he was sent by the captain to see that they were doing their duty over me, for he was ordered that they should look particularly sharp to see that I did not escape. Foulis is the fifth estate from Nabaclis. He said he was going to the Hope, to see that the guard was doing their duty there; he was armed with a cutlass, apparently a new one.

Defence.—On Monday night, when the revolt broke out, I and the other negroes of the estate threw grass in the evening, when the head-driver, Daniel, called us together, and ordered the whole gang to meet him at Philip's house, where all those who were willing were sworn on the Bible. I refused to do so, when I was asked by Daniel if I was ever better than the others, and whether I had any regard for my own life, for that he would certainly kill me if I did not join. I held the Bible in my hand, but refused to swear, saying, I did not know what he was going to do

with me. When the white men were put in the stocks, Daniel again ordered me, under a threat of my life, to go and see if they were all secure. Daniel ordered me to stand guard over the prisoners, but I had no pistol, as stated by Mrs Walrond—I had a cutlass in my hand. Daniel informed me that Parson Smith had said that we were to get our freedom, and then ordered us all down to the bridge. On Sunday, Daniel insisted upon our throwing up money for Parson Smith, and, to the best of my knowledge, collected four joes among our negroes alone, which Daniel carried to the parson, along with Philip. Foulis negroes were ordered to Mr Spencer's, by Daniel.—Sentence, Guilty, *Death*.

#### TRIAL OF THURTELL AND HUNT.

*Hertford Assizes, January 12.*

The evidence in this remarkable trial was substantially the same as that taken before the Coroner, and reported in our last Chronicle, p. 166. The only new feature now was the speech of Thurtell, which was to the following tenor:—

"May it please your Lordship, and gentlemen of the jury—Under greater or more appalling difficulties than ever perhaps any man addressed himself to your attention, do I stand before you, the victim of horrible calumny, to vindicate my character from the foulest charge that could be preferred against any man. In this most awful moment of trial, I have the consolation that I stand here, I may say, enjoying one of the first institutions of this free country, that of trial by jury, and that I stand before twelve enlightened men, whose fiat will be

unawed by distinction, and whose opinions are unbiassed—whose feelings are pure—and who will fearlessly give their opinion—I say, the greatest benefit I can at this moment possess—that of trial by jury. Unfortunately, gentlemen, I have been branded as a man, whose villainies have been matured by thinking and by age, and although I have no doubt you, gentlemen, possess the best feelings of our nature, yet, branded as I have been by everybody—by that boasted free press, whose curse or whose benefit is carried from one extremity of the globe to the other, designated by this great engine of the liberties of Europe, as a man habituated to crime—as a foul, cool, deliberate, sanguinary, remorseless villain,—ay, I say, as an atrocious savage murderer, capable of seducing my friend into a sequestered place, and there, while calmly speaking to him, to hurl him before the tribunal of Almighty God,—oh ! gentlemen, how can I, with all these atrocious calumnies hurried on my head, expect an unbiassed jury ? It would indeed not be expected from the most virtuous feelings of our nature, that a man could enter that box and look on me in any other way than as a villain, because the press has said so. But, gentlemen, I am confident, and it is the only hope that bears me up, that you will not and do not possess any hatred to me ; but that you will calmly consider my case. Gentlemen, you must not heed what has been said ; you must not suppose me capable of this crime, because the press has said villainy is my characteristic, nay, an innate principle of my nature, that it grew with my strength, and was refined and matured by my age. They have traced me to my infancy ; but I shall appeal to you, gentlemen, as fathers, whether, trained as I have been in a high rank of life,

under the care of an eminent and religious father and mother, who, from my first moment of sense, raised my little accents to Heaven ; who carefully instilled virtuous principles, and who taught me to reverence the laws of my King and my God ; who, in my young days, checked any action or conduct that was likely to excite any principle of vice ; and a father, who, by well-directed correction in my verging into manhood, also taught me to pursue his honourable example, and which, I shall prove by evidence of gentlemen of the first respectability, was my aim of conduct ; all that can be attributed to me was an improvident generosity. I again ask you, although weighed down and overwhelmed with calumny, whether I could, under such circumstances, leap at once into the commission of a crime, the murder of my friend, under circumstances as atrocious as they could possibly be ?"—Oh, no ! God Almighty knew, that after this deed of blood, he could not coolly plunder his friend, any more than he boasted of this brutality immediately after the horrid crime was perpetrated. Is there a soldier, is there an Englishman, that would not revolt at such a dastardly soul as his is represented to be ? Better, indeed, would it have been had he fallen in the field, than that his poor father and afflicted family should now mourn his loss. He had been represented by the press as a sporting character, and held forth to the world as one capable of the basest crimes ; but, in this respect, the reports had been exaggerated, and many devoid totally of foundation ; and he could assure the Court that he had not witnessed a prize fight, a horse race, or a sporting exhibition, during the last three years ; but even if it were so, he did not conceive that the statement of the mere fact could at all prejudice him—

it ought not, for he could adduce statesmen and others as apologists. He remarked strongly upon the impropriety of the recent publications, and expressed his conviction that his conduct through life had only been prejudicial to his own family. He then alluded to a trial that had recently taken place before the learned judge now on the bench, when he had been involved under disagreeable circumstances, as having attempted to defraud his creditors, by a conspiracy, but the jury might be assured that the conspiracy was not on his part, but it would be proved that Barber Beaumont was the person who formed a conspiracy against him, and that he had hired and paid persons to swear falsely against him. After he had indulged in the strongest invectives against that individual, he said, this was the individual who had attempted to injure him—this protector of public abuses who raised the banner of rebellion before the Sovereign's palace; but he would not allude to this any farther, as it would shortly be brought before the Lord Chief Justice of the King's Bench. He had also been represented as having been at the house in Manchester buildings, by a person named Woods. He could prove this to be utterly devoid of truth, and that, at the time represented, he was at Norwich, where he had been to visit a lovely and interesting young lady to whom he was attached. He had been too much vilified and prejudiced by the press, which had turned that which might have been brought forward in his favour, into exaggerated accounts which operated to his injury, and quite different to what would appear before the jury, and made it, as it were, that the organs of his nature had been completely reversed, but he hoped that the jury would endeavour to erase from

their mind what they had heard, and the end must be favourable.

Before he commenced reading over the evidence, and making remarks thereon, he would beg leave of the court to allow him to return his most grateful thanks to the high sheriff and the magistrates for their kind attention to him. Sincerely did he regret that any misunderstanding had existed between the Rev. Mr Lloyd and his solicitors. He would also beg leave to return his thanks to the Rev. Mr Franklin, chaplain to the gaol, for he was indebted much to that reverend gentleman for his impressive exhortations, which enabled him to appear that day with fortitude, and boldly assert his innocence, and deny the foul imputations against him. He would also express his gratitude to Mr Wilson, the gaoler, who, though last, was not the least, of his friends; never would he forget his kind treatment; his heart, indeed, would be cold before it would cease to beat for the welfare of him and his respected family.

He would now call the attention of the jury to the evidence on the part of the prosecution, which he observed was replete with contradiction. He then commenced with the evidence of Mr Beeson; this gentleman, he said, had proved that a party had searched for the body, but did not succeed in finding it until told by Hunt, who had a better right to know than those who did the act; for Hunt, when asked who put it there, said it was he himself. It was proved in evidence that there was a pond near Probert's house; would it not have been safer to have put the body there than in a shallow ditch? You have heard that the sack, spade, &c. were purchased; was it likely that he (Thurtell) was the monster represented; that, in the room in which he was arrested, the drawers, boxes, &c.

should be open, and no secrecy observed? was this undisguised conduct that of a guilty man? There was also another person slept in the room; was it not probable, that his situation should have been discovered by this individual? (He went on making remarks on the evidence of the several witnesses, but no prominent feature of consequence could be discovered in any of them.) When he arrived at Probert's testimony, he said, that this man's evidence seemed to be the only connected chain of evidence produced against him. He had told some truth to-day, but not before the magistrates. Probert's evidence in any point affecting him was not corroborated by a single witness; this man and Hunt had both set up their evidence for sale; look at Probert's evidence, and the confession of Hunt before the magistrates. He was solemnly of opinion that he himself, as well as Weare, had been decoyed to the fatal spot by Probert and Hunt, for destruction. Was it probable that he communicated to Probert, that he intended to murder Mr B. Beaumont and Mr Woods? certainly not. On his cross-examination, Probert admitted, that until the confession of Hunt, he did not fix on him as the murderer; this witness, it was proved, had been committed, under the commission of bankruptcy, six or seven times, for perjury.

He then remarked on the inconsistency of Mrs Probert's evidence, when compared with that of her husband.

From the evidence of Probert and another, it would appear that he (Thurtell) was fully prepared for the murder. Clark swore that by the light from the lamps of the coach, when coming to town, he could distinguish him driving in a gig with another person; was it at all consistent with reason that on a dark night

he could have recognized my features? on the contrary, we know that the faint light of a lamp from a coach passing along would make it even more difficult to discover the features; but it was well known, that when a man tries to prove too much, he generally proves too little. Clark, however, in his evidence, swore that the gig in which he was driving was yellow, now this was another impossibility, for the darkness of the night would not permit him to discover the colour.

Thurtell continued for some time to review the evidence of the other witnesses. He went on to say, that he should advise them most seriously to consider before they gave any opinion of this case, as the British law, in cases of this kind, recognized the proof of murder by circumstantial evidence, and the evidence, he thought, instead of being against him, operated rather in his favour, to show he had not committed this crime. Circumstantial evidence was at all times of a kind most fearful, and he would show, by a variety of cases, the necessity of most particularly attending to it, as in modern times we had many lamentable instances of the immolation of innocent persons, through the hasty decisions of juries, therefore he believed, as he hoped they would, that besides many points which were much in his favour, there were more points that did not by any means show he had any participation in this crime, and as such evidence, by producing a fatal result, was so fearful in its effects, he would sincerely advise them to consider well before they decided. In order to show how often such fatal results had arisen from the undue consideration of cases, he cited several from the works of Coke, Blackstone, and particularly those of Chapman, Bradshaw, and several others, who had been executed for murder

on very strong presumptive evidence, yet in some time after it had been ascertained that they were innocent, and the real murderers were discovered. Voltaire, in his works, had emphatically censured the hasty decisions of juries. When they had deeply considered everything which he had said and gone through, he hoped they would pursue such a course as would justify them in acquitting him. He had plainly advanced these facts for their consideration, feeling himself authorized so to do, and he should now, as he was drawing to a close of his address, tell them, that the only course they could safely adopt, would be to return him to his country, his liberty, and his family. This he thought they should well consider, as hereafter they would have the blessed consideration that a calumniated and innocent man had been acquitted by them. There were many points of evidence doubtful, and they were bound to give him the benefit of them; the law said, no man shall be convicted of murder, but by clear proof, and if any doubts remained, the prisoner was entitled to the benefit of them. He again repeated his innocence of the murder. He noticed the fate of Calas; that of the Maid of Palaiseau, and he read several narratives from the *Percy Anecdotes*, and shortly after concluded his defence in the following words:—

“Gentlemen of the Jury—My existence is in your hands. If there be a doubt, give me the benefit of it.—(The prisoner here burst into a flood of tears)—Cut me not off in the summer of my days. Render not the once happy bosom of my father desolate. If there be one among you who thinks me capable of the crime, I say to him, in the words of the Apostle, ‘I would to God you were in all things such as I am, save these

bonds.’—Gentlemen of the Jury, remember these my last words—I am innocent of this crime, so help me God.”

Having uttered these last words he sat down, forcibly clasping his hands upon his breast. After a pause, he proceeded to call four witnesses to character; and when their examinations were concluded,

The Judge said, Now, Joseph Hunt, the Court is ready to hear your defence, if you have any to make.

Hunt said—My Lord, I have a defence to make, but from extreme anxiety of mind am incapable of reading it.

The Judge—Let it be read by the officer.

Mr Knapp then read the paper which Hunt gave in. It set forth the circumstances under which he had been induced to make the confession which had been obtained from him. He declared, that he had been told by Mr Noel, that he was authorized by the magistrates to say he might be admitted king’s evidence. For the crime itself, he had not been present when it was perpetrated, nor did he know of any premeditated plan to murder the deceased. His crime consisted in concealment. This he admitted, but in no other respect had he been guilty. He strongly insisted on his ignorance of the murder beforehand; and therefore contended, that under this indictment he could not be convicted. He called no witnesses. He, however, in addition to the paper which had just been read, begged to read one which he held in his hand. This was very short, and accused Probert of having, in order to save his own life, invented falsehoods to destroy Hunt’s. Among other falsehoods, he had spoken of a place, where, on the night of the murder, he (Hunt) had wished to be



set down. Hunt, it was known, had never been that way before ; and he would therefore ask, how it was possible for him to have desired to be set down at any particular place ?

The Coroner of the county, by order of the Judge, was then sworn to the fact, that Gills-Hill Lane is within the circuits of the county of Hertford.

### *The Charge of the Judge.*

Mr Justice Park then commenced the summing up.

“ Gentlemen of the Jury, this important case has justly occupied a large portion of our time and labour—a case important not only to the prisoners at the bar, but the public. The single question is, who committed the murder ? Because if committed, as it is pretended, by Thurtell, there are no circumstances of extenuation—nothing which could reduce it to a less crime. If you are of opinion there is no testimony to affect Thurtell, then you need not trouble yourselves with any inquiry about Hunt. Because, if you should be of opinion that Thurtell was not concerned in the murder, it is clear the other cannot be guilty of aiding and abetting him. I now proceed to detail to you the evidence, but, before doing so, I must observe that some parts of the statement of Thurtell, in his defence, were manly and energetic, and if prepared by himself, it is highly creditable to him. But, in saying so much, though I hope I am not one of those who would go out of my duty to speak severely of any one, I must confess that there were other parts of that statement, about the middle of it, which were more like a romance than a defence. He was very ill-advised indeed, to introduce extracts from the Percy Anecdotes

and the Newgate Calendar, because they destroyed whatever weight may have been produced by the introduction of the works of the immortal Hale. I have acted here upon the principle alluded to ; and every man since the time of Lord Hale must know, that it is necessary that the man found dead be proved to be the same man charged in the indictment to have been murdered. All that far-rago which was introduced, was ill-advised and imprudent ; however, I don’t charge him with it, but those who recommended him to introduce such subjects in his defence.

“ And, in the first instance, with regard to Probert, an accomplice, a witness who was called for the prosecution, I have no difficulty in saying, that he is an infamous, and the blackest character that has come within my experience. It did not need the evidence of Mr Wadson, the solicitor, respectable as I know him to be, who swore that from his knowledge of Probert—from his having frequently been a bankrupt and committed for perjury, he would not believe him unless corroborated by other evidence. And I say to you, as Thurtell concluded, if, as honourable and religious men, you entertain any doubts of his guilt, give him the benefit of them, for by the law of England he is entitled to have them. An accomplice is a competent witness ; but, gentlemen, there is a distinction between competency and credibility. I am bound to set up a witness as competent to you, but you are bound to try his credibility ; and I would advise you, gentlemen, not to attend to a single syllable of the witness Probert, whom I have set up to you as competent, unless his testimony is corroborated in several of the main points. A great many sensible observations were made by Thurtell upon Probert’s evidence,

which I believe and entirely coincide in, but, as Mr Wadeson said, I would not believe him unless corroborated by circumstantial evidence."

His Lordship then clearly, and with the greatest perspicuity, read, and remarked upon, all the evidence; twice he was interrupted by Thurtell, who respectfully addressed some remarks; after, this his Lordship proceeded. "If, notwithstanding the darkness at the time the crime was committed—if, notwithstanding the secrecy with which guilt seeks to shroud itself, the finger of God has pointed as plainly to the criminals as if they had committed their crime in the face of day, and before your eyes; it is your duty to your country, your duty to God, your duty to yourselves, to pronounce the verdict which must satisfy your consciences, notwithstanding any feeling you may have towards the individual its consequences may affect. Gentlemen, consider of your verdict."

The Jury then retired for about twenty minutes, and returned with a verdict of *GUILTY* against both the prisoners.

Mr Chitty rose to make a motion on the grounds that the trial was invalidated by its having taken place on the Epiphany. Motion refused.

#### *Sentence of Death on the Prisoners.*

Mr Knapp—John Thurtell and Joseph Hunt, what have you to say why judgment should not pass upon you to die according to law?

Thurtell—My Lord, before the sentence is passed, you will, I hope, allow me to express a wish, and for the last time, that you will consider well the evidence which has been before you. Remember I now for the last time solemnly assert my innocence. My Lord, I have to request, not for myself—for as to myself I am ready this moment—but for those

friends who are dear to me, who are now at a considerable distance—friends whom I want to see once more before I part for ever—for them, my Lord, I entreat that you will postpone the execution until Monday.

The Judge, in the most solemn manner, proceeded to pass sentence in the following words:—"The sentence, as I am bound by the law of the land to pronounce it on you, John Thurtell, is, that you be taken from hence to the place from whence you came; thence, on Friday next, the 9th of January, to the place of execution, and there to be hanged by the neck until you are dead; that your body be then taken down and delivered to the surgeons to be dissected and anatomized. The sentence of the Court on you, Joseph Hunt, is, that you be taken to the place from whence you came, and thence to the place of execution, there to be hanged by the neck until you are dead; and may God have compassion on your souls!"

During his address the Judge was melted into tears several times. Hunt appeared occasionally to be deeply affected, and covered his face with his handkerchief; but Thurtell remained perfectly composed.

The prisoners were then removed from the bar.

#### TRIAL OF THOMAS HAY, FOR ASSAULT AND ATTEMPTED MURDER.

*High Court of Justiciary, Edinburgh,  
February 2.*

A case came on for trial this day, which seems unparalleled but by the recent atrocity in Hertfordshire, and can only be compared to some of the crimes which the busy tongue of rumour had alleged against Thurtell and his gang. In the present instance,

the accused, Thomas Hay, resided in a solitary manner in a house in King-street, Leith; no living creature cohabited with him. Having fitted up his inner-room as a human slaughter-house, he set out one morning in July last in quest of his intended victim, whom he decoyed to the place of sacrifice, and against whom he aimed the murderous blow, but happily failed in the accomplishment of his diabolical purpose.

The prisoner was prosecuted under the Scotch law, (that of Lord Ellenborough not extending to Scotland,) and stood charged with assaulting, stabbing, and wounding, with a lethal weapon, Mr William Moffat, to the effusion of blood, and with intent to slay him, on the 18th of July last, at the prisoner's own house in King-street, Leith.

At a former diet, in consequence of a statement by the panel's counsel that they considered him in an unfit state of mind to be put on his trial, the Court appointed a committee of medical gentlemen to inquire into the state of the prisoner's mind. Their report was now delivered in, and it stated that they considered the panel to be of sane mind.

The Court then asked the panel's counsel if they intended to persist in their plea of the prisoner being incapable of standing his trial. They replied in the negative.

The indictment having been read, the panel pleaded, "I am not guilty, my Lord; but Mr Wilson is guilty of rousing me out of my bed this morning, and bringing me here without my breakfast, a state, I presume, which no one present is in besides myself."

The Lord Justice Clerk told the panel that his manner bore evident signs of being affected and premeditated; and he would just caution him to look more narrowly after his own

interests, and to remember that awful situation in which he stood. His plea of "not guilty" should be recorded.

Mr Menzies, for the panel, delivered in a written defence, which stated that the panel pleaded "not guilty," because at the time the crime was alleged to have been committed, his mind was so distempered as to render him irresponsible for any of his actions.

A Jury having been chosen,

John Mackay, Esq. baron-bailie of Leith, was called to identify the declarations of the prisoner.

The witness identified the panel's declarations, and deposed, that, at the time of their being emitted before him, it was only a few minutes after the man had been stabbed; that the panel's hands were covered with blood; that he appeared much agitated, and in such a state of mind as led the witness to believe that he was deranged; and he therefore remanded him until the evening. When witness questioned him, he hesitated for some time, as though he was making up a story. It was three o'clock in the evening when he examined him again; he then appeared perfectly sane and sensible, and answered all his questions in such a manner as did not induce him to alter his opinion that he was perfectly sane. Witness took great pains to ascertain the state of his mind before proceeding to examine him; he saw the prisoner afterwards; he was then more cautious, but witness still believed him to be sane.

A Leith police-officer deposed, that he was present when the panel's declarations were emitted; that they were emitted freely and voluntarily; and that he was in a sound state of mind, as far as the witness could say.

Mr William Moffat, wright in Leith, knew the prisoner. On the 28th of July, he happened to take a

walk out as far as Lochend, and on returning about eight o'clock, when about fifty yards from his own workshop, which is situate at the Yard-ends, Leith, he saw the prisoner standing alone, who, as soon as he saw witness, came towards him; witness asked how he was this morning; he replied not very well; for, jumping over a ditch, he had put his foot on a stone and sprained it; he said he had some repairs to make; witness said he was glad of it; he asked witness then to go along with him to his house to see what they were; witness said, that, having been out so long that morning, it would be necessary first to step into his workshop, and see what was going on; the panel said he could not so conveniently see him at any other part of the day; witness seeing him so anxious that he should go with him, said, "Come along then." The panel conducted him through a by-lane from the Yard-ends, but told witness to send his two dogs (pointers) back, because he had two cats at home, and one had kitted; witness accordingly sent the dogs home; they then proceeded down the lane to St Andrew-street; the panel moved on a little below him occasionally, and particularly when in sight of his own house; witness followed him up two stairs to his house. When they got in, he shut the door, and locked it. Witness said there was no fear of the dogs coming in. He said the cats did not appear to be there—perhaps, he observed, they might be in the next room. He then asked the witness to go into the other room. Witness said all the business they had to do might be transacted where they were; he pressed, and said, "Mr Moffat, do go in," and he went in; witness observed, on entering the room, "You are got very tasty now, I see you have a carpet; but it is

not laid down properly." It was a waxed oil-cloth, turned the red side uppermost, and the sides and corners standing up in front of the chairs and bed, instead of being laid down under them. The panel then invited witness to take a glass of spirits, as he had been out that morning; witness at first declined, as he was not used to taking spirits in the morning; but he said he was going to take some himself; he did so, and witness tasted it out of compliment to the panel. The panel then said he had bought some property in Edinburgh, and wanted some partitions to be put up in it, as it was too large for him to occupy himself; but that his leg was so painful that he could not go to settle with the person whom he had bought the property of. He repeated this so often that witness thought he wished him to propose to do it for him, and at last offered his services. They sat down; the panel took hold of his hands, and said, "You have a stronger hand than I." He seemed rejoiced that the witness had offered his services, and said, if he would write out a receipt for the money, he would intrust it to him. Witness, before writing it out, said, he should like to know the amount, and panel said 220*l.*, and gave him twelve 20*l.* notes. Witness said that was more than was required. The panel replied, that interest was due on the money, which only left a balance of 17*l.*; and if he (witness) would write, he (panel) would dictate the receipt to him. The panel turned his back to him, and appeared to be looking out of the window, and repeated what he wished witness to write in the receipt. Witness objected to the terms, and said he could write a better one himself; the panel desired him to write one, and they could then compare the two. Witness wrote a receipt, which the panel said would

do very well, if witness would add, after the amount received, the words, "from Mr Thomas Hay, King-street, Leith." Witness did so. The panel then asked witness if he could read cramp hand-writings, and witness said he was not much accustomed to them, but he would try. The panel then fetched a letter from a drawer, and witness said it was a cramp hand indeed,—it would take him some time. The panel told him to take his time. Witness, after looking it over for some time, said, "Mr Hay, you must have read this over before, and are well enough acquainted with its contents, I dare say; I must now go home, and see what the men are doing." Prisoner insisted on witness reading it over to him; witness proceeded with the letter. On taking his eyes off, witness saw prisoner unfolding something, which witness supposed would be the money; but shortly afterwards witness was surprised to hear a very strong suction of breath very near him, and surprised at hearing it so plain, after having seen the prisoner at such a distance, looked up, and saw the prisoner standing over him, and making a thrust with a knife, which, in attempting to ward off the blow, witness received in his right arm. Witness then collared him, and called him a murdering scoundrel; and, wrestling with him, drove him back against the bed, and held him on the floor in a trembling state. Witness, in attempting to take the knife from the prisoner, cut the leader of one of his right-hand fingers, and all the leaders of his left hand. Witness having secured the knife, considered whether it would be best to cry out murder or to fly to the door; witness did the latter, and the door being locked and bolted, witness had some difficulty in opening it; this he at last effected, and then called for assistance, and

the prisoner was apprehended.—(A large buckhorn-handled carver, stained with blood, was now produced in Court.)—The witness identified the same to have been that which was used upon the occasion; had seen no such knife in the room before the attempt was made upon his life. When the police arrived at the door of the panel's house, it was fastened within-side. Witness said he would be responsible for anything the police would do; they then forced an entrance, and apprehended the prisoner. Had previously been acquainted with the prisoner for about three years, and had been in the habit of repairing his property. Never had had any quarrel with him; had not seen him for a fortnight before this event; witness, on that morning, saw nothing different in his manner from what was usual, and had not the least conception of his being in a state of derangement. Prisoner drank a glass of spirits and water, but was by no means drunk, either before or after taking it. Witness identified the sur-tout coat which he had on at the time. It bore marks of blood on the sleeve, and there was the mark of its having been pierced by the knife. It was St Giles's-street, not St Andrew's-street, into which the lane from Yard-ends led them. The wax-cloth was turned up in such a manner that all the blood spilt would have fallen upon it.

Mrs Lawson, King-street, Leith, saw Mr Moffat on a day in July. The house in which the panel lived was just opposite to hers. Recollects having seen Mr Moffat come down the panel's stair that morning; he called out "Murder," and "The police." Mr Moffat gripped a large knife, and after speaking of a conversation with the panel about some property, said, "That is what he meant to take my life with." Mr Moffat was cut through

his coat and shirt to his arm, which was bleeding.—(Witness identified the coat and the knife.)—Witness saw his wounds dressed. Mr Moffat had not his hat on when he came down the stairs. The panel had lived there, she supposed, about fifteen years, “but you can ask him; he can tell.”—(A laugh.)—Never spoke to him in all her days. He was a stupid gang-about sort of a person; never supposed him to be a crazy person; never heard him told of in the neighbourhood as a madman; he appeared a sober man from what she saw of him.

Mr Anderson knew the panel; he was formerly a weaver; did not know that he had been anything lately; had known him a long time; became acquainted with the panel through being neighbours, and knowing his father and family. After his father's death, he gave up the business, and he appeared rather silly like; but saw no other sign of derangement about him than that of giving up the business.

Mr Thomas Black, grocer in Leith, had frequently seen the panel at his shop; he always seemed quite intelligent, and in the full possession of his faculties.

James Mackay, sergeant of police at Leith, recollects being called to King-street, in July last, in consequence of the assault on Mr Moffat; saw a crowd standing about the panel's house; witness was ordered to enter; he rapped at the door, and it was opened by the panel; conveyed him to the police-office; he seemed more agitated at his house than after he arrived at the police-office. Witness was sent to fetch a knife; received it from the hands of a man named Johnson, whom he met coming with it; witness was sent to search the house; observed three cor-

ners of the floor-cloth turned up, and some spots of blood upon it; a piece of paper was stuck on the key-hole; on going away with the panel, he (the panel) asked for the key, which was hanging up, that he might lock his door with it; this was accordingly done.

Rose Campbell, another of the Leith police-officers, who went and apprehended Hay, corroborated most of the last witness's evidence.

William Ross, superintendent of the Leith police, stated, that the panel appeared rather agitated when first brought to the police-office. He looked rather curious; he had a downcast look, but he seemed to know what he was doing. Did not appear to be deranged; his downcast looks witness supposed to be his usual expression of countenance, as he had seen him before. Witness searched the panel's house between eleven and twelve o'clock that night. The oil-cloth was turned upside down; the edge of it rested against the chair and bed, and the coverlet of the bed, as well as the floor-cloth, was stained with blood. The key-hole of the street door was covered with paper stuck on with wafers, and bloody. Found 33*l.* 14*s.* 6*d.* in the house, and some halfpence. The panel was present at the search, and directed where the things were to be found.

The panel's declaration was now read. Among other things it stated, that Mr Moffat made up to the panel in Giles-street, on the morning in question, and accompanied him into his house; that the wound was occasioned by his foot tripping, while he had the knife in his hand cutting bread and cheese with it; that in falling he upset the table and cut Mr Moffat's arm. He (declarant) was unable to say where he purchased the knife, which appeared new, and

never to have been used for any other purpose; he was unable to account for the other circumstances, and refused to answer several pertinent questions.

Mr Combe, surgeon, stated, that he was called to dress Moffat's wounds on the morning in question. Does not conceive it probable that these wounds could have been inflicted in the manner described by the panel in his declaration. Supposes that a wound inflicted by raising the arm to ward off the intended blow, would have been exactly of the same description as that which he saw on the arm of Mr Moffat, provided the edge of the knife was held downwards. Considers it highly probable that the blow would have been fatal if it had not been warded off with the arm.

#### *Defence.*

The following evidence was then called by the panel's counsel:—

Mr John Harvey, a solicitor in Leith, examined by Mr Robertson.—Had known Mr Hay for about four years. Two years ago he applied to him for professional advice. He said he had some property, and feared some one was going to take it from him. He said he wished to talk with witness in private; witness took him into a private room where he opened his story; it was very inconsistent; and witness felt convinced the panel had no property whatever, and that he was operated on by some delusion. The panel was admitted into the Corporation of Weavers. A member expressed his surprise at the panel being introduced, observing, that he was only likely to be a burden to their funds; witness was of the same opinion. Witness afterwards discovered that he had property, because he conveyed some from him to a client. Wit-

ness thought him of a sound mind, though he considered him a weak man, and that there was a great deal of mental imbecility about him.

Mr Steadman, merchant-tailor, Leith, had known the panel for fourteen or fifteen years past. He frequented his house once a-week, or oftener. His disposition was quite simple and innocent. Witness really thought he was not in the full possession of his intellects, and considered him of so silly a nature as to afford game for his people rather than anything else. From his infancy upwards he might sometimes have been called "daft Hay."

The Lord-Advocate then addressed the Jury on the part of the Crown.

Mr P. Robertson addressed the Jury for the panel.

The Lord Justice-Clerk summed up the evidence in a very compendious and distinct manner, and deduced from the law and evidence of the case, that the plea of insanity had totally failed, and that the crimes charged had been fully proved against the panel.

The Jury, after about a minute's deliberation, without retiring, returned a verdict, by the mouth of their Chancellor, J. W. Brougham, Esq. unanimously finding the panel *Guilty* of the crimes libelled.

Lord Hermand, after remarking that it would be necessary to apply to the legislature for an extension of the capital punishment in the case of maiming to Scotland, if this crime should continue to make any progress here, proposed the same punishment which had recently been awarded in a somewhat similar case—namely, public whipping, and transportation for fourteen years.

The Lord Justice-Clerk informed the panel, that if his crime had been committed in England, and followed

by a similar conviction there, nothing could have relieved the Judges from the duty of pronouncing upon him the last sentence of the law ; and he fully concurred in what had fallen from Lord Hermand, as to the expediency of applying to Parliament for the extension of Lord Ellenborough's act to Scotland, if this crime should not be arrested by the present example. His Lordship pronounced the sentence of the Court, that on Wednesday, the 18th instant, the prisoner be publicly whipped on his naked back through the streets of Leith, which he had disgraced by his crimes ; and that he be afterwards transported beyond the seas for fourteen years from this date.

The prisoner, after the admonition of the Lord Justice-Clerk at an early part of the proceedings, continued in a real or counterfeit stupor, seldom exhibiting any signs of animation, except when he had recourse to his snuff-box. His appearance was pale and sickly, and he walked lamely out of Court.

## IRISH ASSIZES.

*Cork, April 10.*

**PATRICK, MAURICE, AND JOHN CREMINS, FOR THE MURDER OF THE FRANKS.**

Patrick, Maurice, and John Cremins, were put to the bar, charged with the murder of the Franks family, on the 4th of September last, at Lisnagourneen, in this county. The intense interest which this trial excited, was wound up to a still greater pitch, when it became known that the principal witness was the person who, according to his own confes-

sion, fired the shot at Mr Franks which deprived him of life.

Mr Sergeant Goold stated the circumstances of the case to the Jury, as they were subsequently detailed by

Edward Magner, the accomplice, who remembered the murder, and was at it. He had been previously at the house of a person named Power, at Shanballymore ; this was in the month of May, upon which occasion he saw the three prisoners there, whom he now identified. They drank to him, and asked him to go murder the Franks, and he said he would. He left them then, and didn't see them till two nights before the murder, when, being then at home, a man came to him, and told him to be ready. He said he would, and went from thence to one Thomas Barry's, at Ballyduff, where he remained reaping till the night of the murder, when, at about four o'clock, he left it, taking with him a woman's cap and gown ; he proceeded from thence to his own house, where he got a pistol, and then went to Mr Franks's kitchen-garden, where he saw the three prisoners, who had appointed to meet him there. At this time he had on the cap and gown ; it was about six o'clock. Pat Cremin had an apron and shawl on, just as a woman would wear them ; they had pikes and bayonets on sticks. They went into the kitchen of Mr Franks's house, through the hall ; there was a table, with a cloth, jug, and a candle lighted, on it. Mr Franks was sitting at it, and the witness asked for arms ; he said he had none, but would send for them ; witness and prisoner then went to a cupboard, and threw out the things ; a poker, which was on the top of it, fell, and J. Cremin took it up. P. Cremin then took up the jug, threw it in Mr Franks's face, and the witness fired the pistol at him, which had a ball and two slugs



in it. At this time he was standing up, having risen when the jug was thrown at him, when Patrick struck him with the poker, and he fell. Young Mr Franks, who was present all the time, then took up a chair to defend himself, when he was struck by a man, who is not present, on the arm, which was broken. The light had been put out, and they then twisted the table-cloth round Mrs Franks's head, to prevent her from making a noise, as she was screeching while they were killing the rest. They were all then killed. The party consisted of nine altogether, of whom one assumed the command; and when young Mr Franks was thrown down, that person said, "Do your duty."

This witness was cross-examined by Mr O'Connell.—He made one of those exhibitions which characters like him always do under similar circumstances. They killed them all, he said; and if the Counsel himself was there, or Major Carter, or any one else, they would have been killed. He would go up to his knees in blood—would kill Major Carter with pleasure; and who knows, if he was let out, but he would kill more. 'Tis two years since he took the White-boy's oath—he forgets part of it; part of the oath is to do everything he was ordered; and he would kill men, women, and children, if he was desired. He had been tried and convicted under the insurrection act; he did not like to go away, but he wouldn't swear, except in honesty, to be allowed to stay at home. Three weeks after he was convicted, he told Major Carter about this business; only for that, maybe he would be transported. He had been at the burning of four or five houses, and would have burned more, if he was ordered. He had murdered all the Franks, and would murder more, if ordered.

After the murder he slept, got up next day, worked, and was as cheerful as ever. The witness gave all the answers, which exhibited him in such an atrocious character, with perfect ease, but in nothing did he vary from his direct evidence.

Mary Myers was next examined.—She stated that she had recently lived in Dublin; before that at Major Carter's; and, previous to that, at Scarf. She knew the Cremins, whom she identified, and had known them for some time. She knew Mr and Mrs Franks, with whom she lived, but not as a servant, at Lisnagourneen. She recollects the night of their death at their own house; they were killed; she was in the room at the time, and saw a good many of the party; she knew only the Cremins; the three were there. When the party were coming in, Mr Franks got up, and went out against them, but they pushed him in; there was a light in the room, and a candle on the table. Mr and Mrs Franks, and young Mr Franks, had dined at the table, and there was some pork, and plates, and knives, and forks, and tea, and some jugs on it. One of the party had a pistol, and two more had guns; some of them were dressed in their day-clothes, and one of them in woman's clothes. When they came in first, they threw down the table, then shot Mr Franks, and beat him with a crow-bar and a pike; they then beat young Mr Franks with the crow-bar; he had done nothing to them, but cried for mercy; they said, "You have no mercy to get, you rascals;" they then turned to Mrs Franks; two of them searched her pockets, and then beat her with the crow-bar; they remained for a good while. The witness was all this time under a table in the same room.

Mr Justice Torrens summed up, and the Jury retired, and remained

in consultation a few minutes, when they returned a verdict of *Guilty* in all the counts against the three prisoners.

His Lordship proceeded to pass sentence of death on them for one of the foulest crimes that had ever been perpetrated, when he was interrupted by a cry from all the prisoners, that "it was a wrong charge!" When silence was restored, he said, that a few hours ago he had heard a like declaration of innocence from one who, like them, had been found guilty of an atrocious murder (alluding to Linnehan, who was executed this day for the murder of the policeman); but he had the satisfaction to know, that since then he had acknowledged the crime, and the justice of the sentence that had been passed upon him. He then proceeded, in the most awful and impressive manner, to pass sentence of death upon them.

## COURT OF COMMON PLEAS.

*July 23.*

*Sittings at Nisi Prius, at Guildhall, before the Lord Chief Justice and a Special Jury.*

### FLETCHER AGAINST FLETCHER AND KNIGHT, FOR FALSE IMPRISONMENT AND IMPUTED MADNESS.

There being only two Special Jurors in attendance, a tales was prayed.

Mr Serjeant Taddy stated the circumstances. The two principal parties in this case were of the same name, and, he was sorry to say, brothers. They were engaged in different pursuits. The plaintiff, Mr Robert Fletcher, came from Scotland about five years ago, and kept an establishment for the education of forty

pupils. The defendant, the Rev. Alexander Fletcher, is a minister of a Scotch congregation meeting, at Albion Chapel, Moorfields, and he (the learned serjeant) believed a favourite preacher. It was his (the learned serjeant's) duty to state the facts shortly in detail. An uncle of these two gentlemen, a Mr Gilfillan, who lived in Scotland, died some time ago, and left the plaintiff and defendant an interest in certain property. The defendant had admitted that there was money, for which he would have accounted to the plaintiff, but for certain reasons, which the Jury would hear this day. The plaintiff had wished to refer their differences; but the defendant had refused to account in any way to his brother, until he "*returned to the Lord!*" When the learned serjeant cited that expression, he did not mean to cast ridicule upon the defendant, or to charge him with hypocrisy; but he used it to shew that at that time he considered his brother in a sane state, and not in that state which the defendant thought proper to act upon afterwards. Proposals were made by the plaintiff to his brother to no purpose, and he endeavoured at last to obtain an interview with him. On the 20th of July 1823, being Sunday, not having then seen his brother for two years, Mr Robert Fletcher went to the chapel in Moorfields, in the evening, just at the close of the service, and when the congregation was dispersing. He endeavoured to go into the vestry, but he met with resistance, and did not effect his purpose of seeing his brother. It had been suggested that the plaintiff was violent and intoxicated; the Jury would say whether these suggestions would be borne out in evidence. But look at what took place afterwards. Two constables were called in by the defendant, who de-

sired them to take the plaintiff to the watch-house. The other defendant, Knight, insisted that the plaintiff should be taken to the private mad-house of Mr Fox, at Cambridge Heath, Hackney. On being conveyed there he begged to be taken home, and they told him they were taking him home. If the state of the plaintiff's mind had been anything short of insanity, the most dangerous course would have been to have taken him to a mad-house. The defendant, Knight, who is a medical person, wrote a certificate in these words:—"This is to certify, that I consider Mr Robert Fletcher a fit person to be put under your care." This was signed by Knight, and was directed to Mr Fox. When they arrived at the mad-house Mr Fox was not at home, but on seeing the certificate, he observed it was not conformable to the act of parliament; and Mr Knight, upon this, wrote another certificate, regular in form, but most irregular in substance:—"In consequence of sufficient personal examination, I hereby certify that Mr Robert Fletcher is of insane mind, and that suitable confinement in your care is necessary for his state." The defendant gave orders that the plaintiff's wife should not see him, and Mr Fox himself took upon him to let him see his wife. The next fact he had to state would create surprise. While the plaintiff was in the mad-house, his brother made proposals to him to go as a missionary to Van Diemen's Land, and to allow him a small pension for his support. In this letter the defendant spoke of his brother as being likely abroad to lead a life of usefulness and honour. Was such a letter consistent with an idea of his brother being insane? If it were proved that the plaintiff had been deprived of his liberty without cause, and from whatever motives, the Jury

would visit such an attack with the most exemplary damages.

John Markwell, the elder.—I am one of the constables of Moorgate; I was on duty on Sunday evening, July 20, 1823. Mr Fletcher's chapel, the Albion, is near the watch-house; Mr Robert Fletcher came to the watch-house on that evening, with several other persons; he appeared to be very violent, like a drunken man; he was there about an hour. I did not see the defendant there at all. The defendant, Mr Christopher Knight, came in about twenty minutes afterwards; before that he had his coat off, and was noisy; he was not so violent when Mr Knight came in; Mr Knight said that he had been making a disturbance in the chapel, and I said that if there were a proper charge given of him, I should think it my duty to take him to the compters; Mr Knight went backwards and forwards two or three times; Knight said that he was insane, and he would give a certificate for him to be taken to a proper place; I said I thought it was my duty to take him to the compters, but that was over-ruled by Knight; I do not recollect seeing Knight talking to the plaintiff at all; Knight said that Mr Robert Fletcher was a lunatic, and he would send him to a mad-house, and exonerate all parties; a coach came. I am sure his brother was in the chapel just by; it was about eight o'clock; several persons got into the coach, but Mr Knight did not go with us; we went to Mr Fox's, at Hackney; no directions were given to any one to go to his wife to let her know where he was going; in the coach he was not violent, but he spoke against his brother; he asked where they were taking him, and he was told he was going home. When they got to Shore-ditch church, he said, you are not

taking me home; somebody said it was all right, and he went on quietly; after a short time, he said he saw how it was; when he got to the house, he asked that somebody might go to his wife that evening, and let her know where he was; he said it would be a shocking thing, as there would be nobody to attend his school in the morning; he was promised some one should go; he wrote a letter, but I don't know what became of it; he was as quiet and collected as any one in the room.

**Cross-examined.**—The people were coming out of chapel when I was sent for; the watch-house was next door to the chapel; I don't know what disturbance there was in the chapel; I don't know that he foamed in the mouth; he threw his arms about, but not to strike any one; I did not see that he excited alarm, or put any one in bodily fear; I did not think it necessary to pinion him, for he very soon became quite cool and collected; I cannot say whether his neckcloth was off; some water was brought to him; he drank several times. On my oath he did not say the water was poisoned by his brother; he did not drink at first, but I did not hear him use any such expression. I cannot swear that Knight did not attempt to feel his pulse; he might do it without my seeing him in a mob of people; about half an hour was occupied before he was put in the coach. I saw Mr Hawker, who belongs to the chapel, there. Mr Alexander Fletcher is much respected, and followed by a very respectable congregation.

William Markland, the younger, corroborated the evidence of the preceding witness, and added, that he received instructions to call upon the plaintiff's wife. He told him the name of the street, the number of the house, and every other particular, in

the coolest and most collected manner. The witness did not think the plaintiff insane.

**Mr Samuel Fox.**—I have two asylums for lunatics; I came home about half past ten on the Sunday evening; but hearing the patient was gone to bed comfortably, I did not disturb him; I saw him next day, when he was incoherent, and labouring under a nervous debility of mind; he gave me a hurried and unconnected detail, as I conceived, of his grievances; he was with me till the following Monday, during which time I had an opportunity of judging of his mind; he was not insane; I had no occasion to use any restraint; it is usual to have a paper signed by some of the relatives of lunatics, besides a certificate of the medical person; such a paper was sent me on the Monday; I saw Mr A. Fletcher either the first or second day after his brother's confinement; before then I had authorized his wife to see him; orders had been given by the defendant that his wife was not to see him; they were together many hours in the room. My daughter and the plaintiff read classical authors together. Mr A. Fletcher gave me some papers, the most important one of which I showed to Mr Robert Fletcher; I am not clear whether I had it back; I suppose not, as application has been since made to me for it by the defendant; I have searched, but cannot find it; Mr A. Fletcher read the contents of it to me; Mr A. Fletcher said that he considered his brother as labouring under frequent paroxysms of insanity, and at those periods he flew to liquor, which rendered him a complete madman, and unsafe to have the management of his person; but probably, if he were to go to some other country, he might be weaned from the effects of liquor, and that it would be better for him

generally; I am not clear in what capacity he wished him to go, but I think he mentioned Van Diemen's Land; I understood the defendant to say that the plaintiff's wife was as fond of drink as himself, and rather as an accessory to it; on the third day I informed the defendant that I did not think his brother insane; on the first morning I thought he was incoherent, but that might have been the effect of liquor, operating on a mind otherwise sound; I have made up my mind since, that it was; Mr A. Fletcher never called for any answer to the paper which he gave me, and never came afterwards; that was on the Wednesday. I have never seen anything but what was perfectly correct on the part of Mr Robert Fletcher, except when his breath has given me reason to believe that he had been drinking. I will not attempt to draw the nice distinction between drunkenness and madness.

The certificates, and a letter from Mr Alexander Fletcher, desiring Mr Fox to receive the plaintiff in his house, were put in in evidence.

Mr J. Hopke.—I am a surgeon, and reside in Radcliffe-Highway. In the month of July, 1822, I was requested by a Mr Crow to see the plaintiff for the purpose of examining him, that I might give a certificate for the plaintiff to be received into a private madhouse. I did see him by the desire of the defendant. I afterwards saw the defendant, and told him that I found the plaintiff quite rational; that he said there was a dispute between him and his brother respecting property, and that I saw no reason to sign a certificate. I asked the defendant whether there was any truth in the statement that there was a dispute between him and his brother respecting property? The defendant said there was some truth in it. I then

said that there was the less reason for giving a certificate.

The questions put by Mr Robert Fletcher to the defendant were read. They related to books of accounts, and money left by their uncle. Some of the questions were answered, and some were passed over, and some of the answers professed ignorance.

Mr Robert Hedges.—I am assistant of the last witness. The plaintiff attended me as an instructor in the classics up to within one or two days of his being taken to Mr Fox's asylum. I had opportunities of observing the state of his mind, and never entertained any idea of his being insane. I went and paid him a visit at Mr Fox's, and found him perfectly collected, and as much master of himself as I was.—[This witness stepped back to state that he knew Mrs Fletcher, upon whom some aspersions had been cast, and he knew nothing at all of her that would prevent him from choosing her as a companion for his wife. The reflections he had heard cast upon her had quite harrowed up his feelings.]

John Nicholson, one of the head scholars in the plaintiff's school, stated that he had about forty or fifty scholars. The school began to decline after the plaintiff's confinement at Mr Fox's. It declined to twelve scholars, and then he gave up the school. Two guineas a-quarter were paid for me.

Mrs Adams produced a letter. It was from the defendant to the plaintiff, and was dated the 22d of December, 1822. It requested that the witness would call on the plaintiff, and propose to him to leave the country, promising, if he would do so, the defendant would assist him.

Mr Ebenezer Temple stated that he lived in the defendant's house. He remembered Mr Robert Fletcher call-

ing at the defendant's house, in July last, and applying to see the defendant. He could not say whether the door was shut against him, but he did not see him.

Cross-examined.—About a week before the plaintiff was taken to Mr Fox's I was at the defendant's at Homerton. I heard a knocking at the door. There was nobody at home but myself and the servant, who went down, and she would not let him in. He then went round to the garden, and he said he would not leave the premises until he had stabbed the d—d hypocrite. He was going to pull off his breeches, but I went out and persuaded him not to do so, and he buttoned them up again. He rolled upon the ground and foamed at the mouth. I considered him insane. As we were going down the lane he said he would pull the hair off my skull, and I ran a little way from him. He used violent threats against his brother, and laughed and cried alternately. He spoke sometimes in the same breath, both kindly and with threats of his brother. I have seen him conduct himself in chapel—not on the 20th of July, but at other times—most offensively. He called his brother to come forth in Latin, "In the name of God, I call thee, my brother." He impressed me with a belief that he was insane. This happened about two Sundays ago.

The Chief-Justice.—Brother Taddy, how can you go on after this?

Mr Serjeant Taddy.—It is a question whether there is a sufficient justification to carry the verdict.

The Chief-Justice suggested that even now it would be best to withdraw a juror.

Mr Serjeant Pell, who appeared separately for Mr Knight, thought he ought to have a verdict, but he would undertake not to ask for costs. He was anxious that it should be under-

stood there was not the least taunt on his client.

Mr Serjeant Vaughan was in his Lordship's hands.—Mr Serjeant Taddy, after some little delay, said, that he consented to his Lordship's proposal.

The Chief-Justice said it was the best course.

Mr Serjeant Vaughan said a few words on the forbearance and the spirit of lenity manifested by the defendant; and he almost trembled for the consequence of that lenity.

Mr Serjeant Pell for the defendant.—Mr Knight said that under the circumstances he would consent to withdraw a juror.

The Chief-Justice perfectly agreed with the observations that had fallen from Mr Serjeant Vaughan as to the conduct of the plaintiff Fletcher, and observed, that if the cause had proceeded much farther, it was probable that this unfortunate plaintiff would have had to pay those costs from which he would now be exempted; and he hoped that still something would be done for him. No imputation could rest on Mr Knight. His Lordship also eulogized the conduct of Mr Fox.

A juror was then withdrawn.

#### TRIAL OF JAMES AFFLECK, FOR BLASPHEMOUS PUBLICATIONS.

*High Court of Justiciary, Edinburgh,  
July 31.*

On Monday James Affleck was placed at the bar, charged with vending seditious and blasphemous publications.

When the clerk was about to read the indictment, the Lord Justice-Clerk observed, that, in consideration

of the nature of the extracts which it was necessary to read, the Court relied that the good sense and discretion of those connected with the public press would suggest to them the propriety of refraining from giving them farther publicity.

The indictment having been read, (which occupied an hour,) the usual interrogatory was put to the prisoner, who replied, "Guilty of selling the books libelled, and I refer to my counsel for an explanation of the circumstances."

The Jury having returned a verdict of *Guilty* in terms of the prisoner's confession,

Mr Jeffrey rose to address the Court in mitigation of punishment; the learned gentleman founded his hopes of the leniency of the Court being extended to his client on his candid confessions and the contrition he had shown for the imprudence of which he had been guilty, and on which he was anxious to avoid a protracted discussion. Fortunately for the country the offence might be considered a new one, a trial for blasphemy not having taken place in that Court in the memory of man. The prisoner early in life became a militiaman; that force having been disembodied, he assisted his brother, who was a grocer in this city, and afterwards he commenced for himself in the same line. Had the trial gone on, very respectable evidence would have been adduced of his inoffensive character. He had been visited by heavy domestic calamity, which exhausted the profits of his trade, and induced him to commence bookseller in a certain line, hoping to overcome his difficulties; and he (Mr J.) was not there to disguise that the publications he sold were objectionable, but he had not in any part of his previous life been concerned in such traffic. The prisoner was not altogether ignorant

of the nature of them, as he was aware his speculation was hazardous, but his ignorance of the trade might be allowed to be some palliation. The books libelled on were to be found in the catalogues of the most respectable booksellers; this he did not mean to say formed any ground of defence, or could alter the law, but surely it might tend to mitigate the punishment. The prisoner had voluntarily given up the whole of the obnoxious publications, and had assured his Majesty's Advocate of his determination to refrain altogether from vending such works, and if the Court, consistent with its duty, could pass from severity of punishment, it would have the assent of the public prosecutor. The prisoner, at considerable pecuniary hazard, did shut up his book-selling shop and reading-room, and resumed his grocery business, trusting by industry to obtain a livelihood for his family, consisting of a wife and several children. The learned gentleman, in conclusion, hoped the Court would consider the offence sufficiently marked to the world, and humbly trusted, that as his client, up to the time of committing the offence, had maintained a good character, the ends of justice might be answered by the publicity of the conviction.

The Lord Justice-Clerk gave great praise to the learned gentleman for the course he had adopted, as one more safe could not have been taken.

Lord Hermand rejoiced in the event of this trial, and thought that, all circumstances considered, moderate punishment would be the best, and he should therefore propose, that the prisoner be imprisoned for three calendar months in the jail of Edinburgh, and find security for his future conduct in the sum of 100*l*.

Lord Gillies expressed his high approval of the candid, proper, and be-

coming defence, and was happy to concur in the proposed lenient punishment.

Lord Pitmilly was happy the Court had been relieved by the judicious and sensible defence of the prisoner's counsel, which had enabled them to do that which, otherwise, they could not have done.

Lord Succouth expressed the astonishment and horror he had felt on perusing the indictment, and thought the prisoner was much obliged to the learned gentleman. His Lordship was happy to concur in the proposed sentence, and trusted no mistaken view would be taken of the case, for on recurrence of the offence it would be absolutely necessary to visit the party with exemplary punishment.

Lord Meadowbank said the prisoner had made the only atonement in his power, and an eminent counsel had given it the weight of his authority.

The Lord Justice-Clerk also felt happy in the result of this trial, which he trusted would have a salutary effect. The case was the only one of the kind during a long period, and was of a very aggravated nature; for what man who looked at the law, or the happiness and prosperity of the country, but must reflect with astonishment and horror that there could exist such a spirit. The prisoner had deviated from the path of duty, and had lent himself to others; but fortunately he had seen his error, had become sensible of the crime he had committed, and had pleaded guilty. The learned gentleman had taken an extremely beneficial course for the interest of the prisoner and the country by his good sense and proper statement, and his Lordship trusted it would have due effect in preventing others from committing similar offences. A vigilant eye will be on the watch; the law will be as promptly carried into effect as in England, and

no such excuse will be admitted, as it will not then be in the power of the Court to award a lenient punishment. The present was the first case of the kind in this part of the kingdom, and he trusted it would be the last. His Lordship severely condemned the publications libelled on, as obscene, blasphemous, and infamous. In conclusion, he said he saw no reason to doubt the sincerity of the prisoner's contrition, who, he trusted, would avoid in future to embark in such a dangerous trade.—Sentence of imprisonment for three months was then passed, at the expiration of which the prisoner was to find security for his future good conduct in the sum of 100*l*.

## WEXFORD ASSIZES.

*Wednesday, August 4.*

### TRIAL OF JOHN CARROLL, POPISH PRIEST, AND OTHERS, FOR MURDER OF A CHILD.

This morning, Mr Justice Johnson entered the court precisely at half past nine.

Mr Sheil appeared, to put off this trial until next morning.

Counsel for the crown would not accede to the postponement.

John Carroll, Nicholas Wickham, James Devereux, Patrick Parel, Nicholas Corrish, and Walter Scallan, the three latter of whom had surrendered since the previous day, were then placed at the bar.

It was stated that the prisoners would not join in their challenges.

Mr Driscoll.—Then we must try them separately. The other prisoners were withdrawn from the bar, and Father Carroll alone allowed to remain.

The panel was here called over. It



consisted of 300 names, 116 of whom answered. There were several challenges, principally on behalf of the prisoners; and at eleven o'clock the Jury was sworn.

Mr Dixon, counsel for the prisoners, said, that the Jury having been sworn, he would now allow all the prisoners to be tried together. All the prisoners were then put to the bar, and the indictment having been read, and the several prisoners given in charge,

Mr Driscoll, K. C. stated the case for the crown. He said that this was one of the most distressing cases that ever came before a criminal court of justice, whether it were viewed in reference to the reverend character of the prisoner at the bar, or as one in which the life of a fellow-creature had been forfeited. The King, for whom he prosecuted, had a right to know by what means one of his subjects came by her death, and the Jury were placed in that box for the purpose of ascertaining the fact. A case of a similar nature to that which he was now about to state to them, never before occurred in Ireland, nor was there a parallel to be found for it in the annals of the British history. Before, however, his going into the merits of the case, he would call upon the Jury to dismiss from their minds all impressions injurious to the prisoner, whether received through the medium of the newspapers, or conveyed by public rumour. He would call on the Jury to spiritualize themselves, and be influenced entirely in the verdict they should give, by the evidence which should be laid before them. The defence to be set up was well known; and the counsel for the prisoner indicted as the principal, could not feel greater pleasure in establishing that defence than he (Mr Driscoll) should, in having it clearly ascertained, that this atrocious murder was committed

while the prisoner was labouring under mental derangement. The prisoner at that bar, and he stated it with regret, was a clergyman—a minister of the Almighty; and it was a lamentable, a melancholy thing, to find a man of his cloth and calling mixed up in a transaction such as the present. He stands at the bar to take his trial for his life, and for the heinous crime of slaying a fellow-creature. The indictment tells you that the victim which he has sacrificed was only three and a half years old, sacrificed under peculiar circumstances of barbarity, and slaughtered in her parents' house. Gentlemen of the Jury, before you can acquit the prisoner, you must be convinced that it had pleased God to take away his best, his greatest gift to man—reason, and leave in its stead darkness and distraction. Should you come to such a decision, the spirit of the law will walk with the prisoner, and bring him out unhurt. This unfortunate man fancied that, in imitation of our Saviour, he could expel devils; and in one of those exorcisms was the murder, which is the subject of the present investigation, committed. There are other persons indicted with the reverend gentleman, who assisted at the melancholy sacrifice; one who brought a light at his command (for it was night), and others by supplying the fatal tub with which the murder was effected, and for assisting and aiding, by their presence and encouragement, in its perpetration. If those persons were aware that murder was intended, they are guilty as accessaries. If, however, they were the victims of a besotted superstition, and acquiesced under the impression that a miracle would really be performed, you must take from the Judge, whether, in the eye of the law, they are, in such a case, guilty of murder. “If,” said Mr Driscoll, “I employ a maniac to com-

mit murder, though *he* may be acquitted, *I* must be found guilty. There was not, however, any reason to suppose that the prisoners were actuated by any such motive. The witnesses who will be produced were present during the whole occurrence, and can form a just idea of the state of mind in which the reverend clergyman was at the time; and if, on their cross-examination, the counsel on the other side can get out of them that he was insane, and which we most sincerely hope, then the prisoner must be acquitted. They will find us searchers after truth, not vindictive prosecutors.”

William Furlong was then called and examined by Mr Doherty.—Lives at Ballysheen, in the parish of Kili-nick; is acquainted, and was before the 9th of last month, with the Rev. Mr Carroll; knew him since he was able to walk; lives in the same liberty with him; knows Thomas Sinnott; he lives in Kilinick; recollects seeing Father Carroll on the 9th of last month at Sinnott’s house; saw him first that day at seven o’clock in the evening at the Widow Nell’s house, near Sinnott’s; was at her house, where there was a great number of people; Father Carroll was at that time walking on the road with his hat off; there were from two to three hundred people there; some were kneeling and some standing; heard some of the people say, “Jesus, strengthen the man!” Father Carroll then came up to where a woman of the name of Moran was lying speechless on the ground; the priest came up with his hat off to where Mrs Moran was lying; he looked at her for some time; he then stamped twice with his foot, and said, “begone!” after which he spit upon her; he then threw himself on his back, and rubbed the back of his hand for some time against the gravel, until he cut it; Father Carroll then walked up

and down for some time close to Mrs Moran; he thought when he saw Father Carroll throw himself back, that he was mad, and could prove it; witness was first kneeling, but when he saw the priest throw himself back, got up; Father Carroll, after a short time, stood over Mrs Moran’s head, and said, “Jesus, Jesus, Jesus! Father, Father, Father, assist me!” and at the same time he kept moving his hand round; he then said some words in Latin, which witness did not understand; the majority of the three hundred persons present remained kneeling all the time; witness made no observation on the state of Mr Carroll’s mind at that time; the priest then went away towards Sinnott’s; witness remained some time with Mrs Moran, and then followed Father Carroll to Sinnott’s, with the intention of fetching him out; a great number also went down the road after the priest; Sinnott’s house was about forty perches from where Mrs Moran lay; was so much confused by the conduct of the priest, that he cannot say how soon after the priest he went to Sinnott’s; the room, when he arrived at Sinnott’s, was crowded; the kitchen door was partly shut; Father Carroll was in the room off the kitchen; the room was also so crowded that he could not see the priest; heard water dashing about the room; saw the priest afterwards; thought the child was under the tub; when he first saw the priest he was in bed; saw a tub then over the child; Mr Carroll was standing on the bottom of the tub, and he sometimes leaped and pranced upon the tub, and while leaping upon the tub he said, “Jesus, Jesus, Jesus! Father, Father, Father!” saw the father and mother of the child in the room where the priest was; after leaping on the tub, he sat down and expressed some words; sat there about three or four minutes;

unloosed his gaiter, and took off his stocking, and rubbed his leg with his hand; during this time Father Carroll whistled a hornpipe, the name of which witness forgets, and kept time with his foot; did not see the child till four in the morning; the child was then dead; at four he took the priest away; can't say who took the tub off the child; did not go near the child till he brought Father Carroll away; held the stirrup while the priest mounted his horse; returned to the house in about five minutes after Father Carroll left it; saw Sinnot and his wife; the child was then on the bed, and the tub at the foot of it; the child was at this time dead; heard the child cry when he first went into the house; did not hear the child say anything, except, "O daddy, daddy, mammy, mammy, O save me!" The witness here identified Father Carroll. Told a person of the name of Sinnot that the priest was deranged; this occurred whilst Father Carroll was in the room; also told his (witness's) wife of it; sent, while Father Carroll was sitting on the tub, for Father Keffe, Father Ennis, and Father Rowe, but the messenger did not go; cannot recollect who it was he desired to go; cannot say why, considering that the priest was mad, he did not go himself; took no step to interfere when he saw Carroll sitting on the tub, though he thought him mad; the child he knew to be under the tub; saw no person at Sinnot's try to prevent the priest from sitting on the tub; when witness was going into the room, Parel, one of the prisoners, asked him whether he was mad or drunk, and desired him to keep out of the way, as the priest was at that moment going to expel the devil, and that he (the devil) might hurt witness in his passage out of the room; at this time the people had formed a passage to let the devil pass; this occurred long after he had been first in the

room. The witness here identified Parel, one of the prisoners, in the dock; saw Wickham, another of the prisoners, at Sinnot's; he (Wickham) had a candle in his hand at the time, and was standing near the priest; did not see Father Carroll since he rode away that morning, until he saw him in Court yesterday.

By the Court.—Saw the child dead in the morning; heard it cry when he first entered the house; did not interfere, as he thought the priest could perform a miracle, although he certainly thought him deranged.

Mr Dixon.—Nothing can be fairer than the way in which the case has been stated for the Crown, or the manner in which the examination of the witness has been conducted. It will, however, be my duty, in justice to my clients, to put a few questions to the witness.

Cross-examined by Mr Dixon.—Knows Father Carroll since he has been able to walk; he has been curate of the parish of Kilinick for several years; always heard that he was a pious good man, and that he strove to keep the lower orders down; the people had great confidence in him as a holy man, and considered that he could work miracles; he was considered to be a kind and humane man; witness thought him capable of an act of cruelty—(a laugh)—meant that he was *not* capable of an act of cruelty; witness first came up when Mrs Moran was lying on the ground; heard the people say that Father Carroll had a few minutes before that cast out a devil from a man at Widow Nell's house; is quite sure the people said it was a devil, or a serpent, or some such thing; the people implicitly believed it; witness was somewhat doubtful, as he had not seen it; the people thought that Father Carroll could work miracles; it was reported in the country that he had worked a miracle on Miss

Brown; that belief was firm; it was also believed that Father Carroll had been called upon by Neal's family to work a miracle on Neal, who had been bed-ridden for a long time, and that the priest had effected his cure; Sinnot's child was three years and a half old; the child was troubled with fits; it was the common belief in the country, that when a person had fits, it was caused by the devil; from all he saw and heard, he believed it was. Father Carroll's intention to cure the child; all the prisoners believed that he could and would cure the child, but faith, he, the witness, did not think it; none present, as he saw, helped him in his operations; the reason why a passage was made in the crowd was to allow the devil to pass from the child. [The whole of the prisoners here, with the exception of Carroll, burst out laughing.] The house was at the time crowded; does not know whether the priest was at that time under the care of a physician.

By a Juror.—Suffered the priest to sit upon the child though he thought him mad.

Philip Walsh examined by Mr Fox.—Lives in the parish of Kilinick; knows Mr Carroll the priest; knows Sinnot; he lives near him; knew Catharine Sinnot the child; recollects seeing Father Carroll at Sinnot's house; went to the house after night-fall; thinks it might have been eleven o'clock when he went; went there and heard a noise inside, and then went in; the house was full of people; saw Father Carroll in the bed; did not see the child at that time; Carroll was sitting in the bed and was saying something; he then got up on his feet, and stood on the tub; heard the child then cry, "Mammy, mammy, save me!" saw the child for the first time next morning; the child was then dead; saw a tub in the room; was there before the tub was brought in; could not at this

time get near the bed, the crowd was so great, but heard the people say the child was in it; cannot say who sent for the tub; heard Father Carroll call for some water; a bowl of water was then brought in, and the priest desired that to be taken away, and a tub of water to be brought; the tub was brought in by witness and James Devereux, one of the prisoners at the bar; witness carried the tub close to where Father Carroll was, when the priest desired him to lift it on the bed; the priest was at this time standing on the bed; when the tub was settled on the bed, Father Carroll said some words over it, and threw some salt into the water; the priest then put his foot on the near handle of the tub, and upset the water, some part of it on his own feet, and the rest on the bed; the tub was turned upside down; the priest then said, with a loud voice, "Bury him, Jesus, in the depth of the Red Sea," meaning, as witness believed, the devil; he said this while he was overturning the tub; saw the tub after that; the priest sat upon it first, and then stood and danced upon it; the child all this time was under it; the priest staid in the house till day-light; the priest ordered the people out of the room, and he, the witness, immediately went out; the priest desired them in a loud voice not to touch his clothes, on which the people rushed out frightened, as they thought the devil was then escaping; saw the child's leg, and supposes the body was under the tub; saw the child dead in the morning; it was Sinnot's child; looked into the room after the priest turned the people out, and saw the priest sitting on the bed; identifies Carroll, Devereux, and Wickham.

Cross-examined by Mr Bennet.—Knows Father Carroll a long time; thought he was acting wildly on the day in question; he appeared to wit-

ness to be insane ; thought it strange that he should throw water upon the bed ; Mr Carroll was a humane, mild man ; never heard of his being cruel ; was sure he never intended to harm the child ; was quite certain that the prisoners at the bar did not intend to aid in murder ; saw Neal that night, who had been cured by the priest ; saw a woman of the name of Peg Furlong ; she appeared to witness at one time to be dead, and Father Carroll spoke over her, and shook her, and she recovered ; saw Neal bed-ridden for several days, and the priest cured him ; Neal can't speak plain, but when witness went to him, after the priest had felt him, he sat up in the bed, and said, " Phil, I am quite recovered," did not tell this on the inquest ; he was sworn there only to answer such questions as should be put to him, and no question of this kind was asked him ; saw the priest go from Neal's house with his arms extended, and his hat off ; would have interfered at Sinnot's to save the child, but that he thought the priest would have cured her.

Re-examined by Mr Fox.—The prisoner cured was Neal ; thinks the cure a very extraordinary one ; will not swear that he does not think Carroll now capable of working miracles.

Mr Sheil here interfered, and said, that counsel on the opposite side had no right to cross-examine one of their own witnesses.

Mr Fox.—Mr Sheil must surely be aware of my object. The witness is a very intelligent man, and I wish, as counsel for the prisoners have elicited from him, injudiciously I think, in his cross-examination, that he believed Mr Carroll capable of working miracles, that he should correct himself, and thus prevent a very mischievous fact from going to the world. Mr Fox then resumed the examination.—Can't account for the way in which

the cure of Neal was performed ; Neal was bed-ridden, and exceedingly ill ; the priest came and prayed over him, and he immediately recovered ; these were facts which came within his own observation, and therefore he could not help believing that a miracle had been performed.

Thomas Sinnot, the father of the child, examined by Mr Plunket.—Lives at Kilinick ; had a daughter, named Catharine ; she is dead ; cannot recollect precisely the day on which she died ; it was on the night that Father Carroll came to the house ; the child was alive when Father Carroll arrived. When witness came into the house he heard an unusual noise ; he stopped and listened for a while, and heard the child crying. He made up to the child, but was stopped ; cannot say by whom he was stopped. Saw Father Carroll at the time ; saw the head of the child ; does not know at what hour the child's decease took place ; did not see it but once ; saw it dead in the bed. When he first came into the room he saw the head of the child ; thought the child was frightened by the noise. Some people desired him to kneel down, which he did ; all the people knelt down and prayed ; saw the priest in the room after the people had departed. The child was then dead ; he took the child in his arms, and shewed it to the priest. Father Carroll desired him to lay it down on the bed. Did not ask the priest why he killed his child, as he thought he would return and bring it to life. At four o'clock in the morning the priest called him into the room, and he remained sitting with him on the bed for about five minutes. Father Carroll made no observation to him on the death of the child ; but, said the witness, when I asked him what I was to do, he said, resign it to the will of God.

Cross-examined by Mr Sheil.—The

child was subject to sickness ; had no notion that Father Carroll meant to injure the child ; Father Carroll had, previously said prayers over the child ; it is the opinion of the people, as well as of witness, that persons subject to fits are possessed of evil spirits. Witness, while the priest was sitting on the child, knelt down and said his prayers, and would not have done so if he thought any mischief was intended. Saw Neal that day ; Neal had been bed-ridden for some time, but got up that day after the priest prayed over him. It was the opinion of the people that Carroll had worked a miracle on Neal ; the people thought he would have cured witness's child, as he had done Neal ; Father Carroll was considered by the people to possess superior power to other priests ; heard that Father Carroll had performed a miracle on Miss Brown ; it was the universal opinion that numerous miracles had been worked by Father Carroll ; witness's wife was in the house when Carroll arrived ; she continued in the room all the time the priest was there.

Re-examined by Mr Plunket.—Witness's wife is now so unwell that she is unable to leave her bed.

Paul Crowe examined by Mr Driscoll.—Knows Father Carroll ; was at Sinnott's on the night of the 9th of July ; saw Father Carroll sitting on the bed ; the child was in the bed, and the priest sitting on her ; saw the priest afterwards stand up in the bed on the child, after which the priest went into the bed ; heard the child cry while the priest was sitting upon her ; saw a tub brought into the room ; there was water in it ; Father Carroll was the person who desired the tub to be brought in ; he spilled the water on the child ; Father Carroll was standing in the bed at the time ; witness was near the bed ; Father Carroll said some words which witness did not re-

collect ; cannot say how long he remained in the room ; does not know whether five minutes or five hours ; thinks he was there five minutes—perhaps three hours ; remained in the room until the priest ordered the people out ; the witness then went home, and did not see Carroll since, until he saw him in the dock.

Cross-examined by Mr Dixon.—The child's mother was in the room, while the priest was there ; every person present expected that Father Carroll would have worked a miracle.—Knows nothing about Prince Hohenlohe.

This witness, during his direct, as well as his cross-examination, shewed a decided reluctance in answering questions, so much so that the Court at length interfered, and insisted upon his going more into particulars than he appeared willing to do. His answer to almost every question was, in the first instance, either No, sir ; or, I don't know, sir.

Dr Rennick examined by Mr Doherty.—Is a physician ; was called in to examine the body of a dead child on the morning of the 12th of July ; found a contusion on the right temple ; there were also some marks of violence on the body. The contusion was the cause of the child's death ; cannot say how it was inflicted ; it might have been by a blunt instrument.

Cross-examined by Mr Bennet.—Attended Mr Carroll professionally ; saw him for the first time on the evening of the 10th of July. The circumstance which is the subject of the present investigation terminated at four o'clock on the morning of that day ; found him so insane that he was obliged to put him under restraint. He did not put him in a strait waistcoat ; bled him profusely in the temporal artery ; Mr Carroll removed the dressings, and witness was therefore ob-

liged to place handcuffs upon him ; he was raving, and speaking very incoherently, particularly about the devils which he had driven out of the people.

Mr Bennet here remarked, that there was such a thing as second sight believed in Scotland, and in the north of Ireland the existence of witches was believed, and it was therefore not at all wonderful that our poor peasantry should have their miracles.

Witness re-examined by Mr Doherty.—After Mr Carroll had been bled, he tore off the bandage, and therefore he was obliged to have recourse to restraint. He considered him perfectly insane.

Mr Driscoll said that the case for the Crown closed here.

Mr Dixon.—My Lord, the counsel for the prisoners consider that the witnesses for the prosecution have proved quite sufficient to avarrant the Jury in acquitting the reverend gentleman. They shall, however, call one witness, a medical gentleman, who has been acquainted with the prisoner for several years.

#### *For the Defence.*

Dr Devereux examined by Mr Dixon.—Is a physician ; knows Father Carroll for the last fourteen years ; remembers the unfortunate transaction now under discussion ; had been for the last three years in attendance on Mr Carroll, with the exception of two months previously to this transaction, and during that period he had not seen him. To a question of what he thought of Mr Carroll's state of health, the witness replied, that he laboured under a determination of blood to the head, a confusion of ideas, and impaired memory, and he considered him incapable of understanding even simple subjects. He was what medical men call having a predisposition

to insanity, but was always relieved by medicine. Mr Carroll had ceased to take medicine for two months previously to this unfortunate act. Witness saw him by accident on the day of the 9th of July, kneeling in the gripe of a ditch by the road side with his hat off, and covered with dust, he was then apparently very much deranged. This occurred between four and five o'clock in the evening, and before any part of the occurrence now before the Court had taken place. He had known the prisoner for fourteen years, and during that period he had borne the character of being a most exemplary man, and a most pious clergyman ; witness thinks that his having omitted for two months to take the medicine which had been prescribed for him, led him to that state of fanaticism which deluded him into the idea that he could work miracles. Knows Miss Brown ; attended her ; there was to witness's knowledge a delusion among the people as to supernatural powers being vested in Father Carroll, as well as in other Roman Catholic priests ; witness's profession leads him to mingle with the lower orders, and he can therefore swear that he finds a great proneness in them to believe in miracles, and also that people are possessed by the devil, and that the priests have the power of banishing him.

Cross-examined by Mr Fox.—Mr Carroll ceased to take medicine for two months previously to this transaction. Witness believes that his so ceasing to take medicine occasioned his derangement. About three years ago Mr Carroll was affected, but had no particular delusion at the time ; witness lives in Wexford, and the prisoner in the parish of Kilinick, within four miles of Wexford, and continued to officiate as a priest in it up to the period of this transaction ; never apprized Carroll's friends of his ten-

dency to insanity ; the rector of the parish heard of the circumstance preceding the occurrence for which the prisoner is now standing his trial, but he did not interfere to prevent the prisoner from officiating. Witness considered Mr Carroll as a person incapable of distinguishing between right and wrong.

The case being now closed on both sides,

Mr Justice Johnson proceeded to charge the Jury. His Lordship, after recapitulating the evidence, proceeded to state the law as applicable to the acts of insane persons. With regard to the other prisoners who were indicted, his Lordship observed, that if an insane person commit a murder, and if he be assisted by any other person in the perpetration of it, though he may be innocent in the eye of the law, yet they must be found guilty of murder. Before, however, the Jury could find the other prisoners at the bar guilty of murder, they must satisfy their minds that they did actually assist—being present is not alone sufficient. The witness Furlong stated positively that he was prevented by some person from interfering, and was asked whether he was drunk or mad. Any person preventing another from interfering to preserve the life of a fellow-creature, would undoubtedly be considered as aiding and assisting in the murder, but there are no facts to shew that any of the prisoners at the bar did so interfere. The most that was proved against them was, that one prisoner brought a candle and another a tub, but these circumstances were not sufficient to warrant the Jury in coming to the conclusion that they had aided in the committal of murder. The questions which the Jury would have to consider were—first, whether the homicide had been committed, and then whether the prisoner, Carroll, was capable at the time of distinguish-

ing right from wrong. If the Jury believed him to have been insane, they must acquit him ; if not, they must find him guilty. There was no evidence that the other prisoners had been aiding and assisting, and therefore his Lordship thought the Jury ought to acquit them.

At two o'clock the Jury retired, and in a few minutes returned with their verdict of *Not Guilty* against five of the prisoners, and of *Not Guilty* against Carroll, he being at the time, insane.

Some inaccuracy having occurred in the wording of the verdict, his Lordship desired that the exact words of the act of Parliament should be copied, and submitted to the Jury, as, according to the 1st and 2d of George III., he would not be warranted in detaining the prisoner, unless the precise words of the act were specified in the finding of the Jury. The Jury again retired, and immediately returned the following verdict, which was recorded :—

“We find Nicholas Wickham, James Devereux, Patrick Parel, Nicholas Corrish, and Walter Scallan, *Not Guilty*, and we further find that the said John Carroll, at the time of the committal of the offence in the said indictment charged, was a person insane, and the said John Carroll has been *acquitted* by us of the said offence, on account of the said insanity.”

After the verdict had been delivered, the Judge addressed the prisoner in nearly the following words :—

John Carroll, you have been indicted in this Court for murder, and you pleaded not guilty to the charge. From the plea you put in, I must suppose that you were not, when you pleaded, in that state in which the Jury have since found you. The circumstances attending this case have made it necessary for me to comment upon it at some length at the present



moment, which I forbore to do in my charge, the more especially as a medical gentleman, whose profession naturally brings him in contact with the lower orders, has sworn that the peasantry are prone to believe that Catholic priests are gifted with supernatural powers, and capable of performing miracles. Many of the most dreadful acts which stain the pages of history have had their origin in fanaticism, and there cannot be a more melancholy proof to what lengths fanaticism can be carried than what has appeared this day. A clergyman of the Roman Catholic faith, a faith which embraces the majority of the inhabitants of this country, and almost exclusively in certain districts, the whole of the lower orders—exercises such influence over the minds of his parishioners that he induces a number of them to remain quiet spectators while the life of a fellow-creature is sacrificed ! The efficacy of prayer to the Most High, no one can deny, but to say that an individual is capable of usurping the attributes of the Divinity, is blasphemy in the extreme. See what this assumption has led to in the present case—the murder of an innocent child, and that too in a manner which would shed disgrace upon the most brutal savage. You, sir, find this child ill in bed—you procure a tub, and, in the most savage way, torture the infant until at length you deprive her of life. That you were the victim of delusion I hope and admit, but that the delusion should have extended to the crowds by whom you were surrounded, and have prevented them from interfering, is a circumstance of too horrifying a nature for the mind to dwell upon. I hope, however, that what has this day transpired in this Court will teach the lower orders to distrust the promises of such professors. Let them implore the intercession of the Most High, but let

them not suppose that the impious and blasphemous attributes pretended to be enjoyed by weak and sinful mortals exist, or that men like themselves possess the capability of working miracles.—John Carroll, you are to be detained in custody until the Lord-Lieutenant's pleasure is known. The other prisoners are to be discharged.

## OLD BAILEY.

*October 30.*

### TRIAL OF HENRY FAUNTLEROY FOR FORGERY.

Mr Law stated the indictment, which, he said, consisted of two counts; the first charging Henry Fauntleroy with forging a certain deed, with intent to defraud Frances Young of 5000*l.* stock; and the second charging him with forging such power of attorney, with intent to defraud the bank.

The Attorney-General then rose, and proceeded to address the Jury. During his address the prisoner was much agitated. He drew from his pocket a white handkerchief, passed it over his face, retained it in his hand, and leaned his head on it. The Attorney-General trusted that the Jury would clear their minds as much as possible from all suspicions or rumours respecting the prisoner; that they would look to evidence only, and by that guide their judgment; and that they would not even bear in mind that there were any other indictments. The prisoner, Henry Fauntleroy, was a partner in the house of Messrs Marsh and Co., established thirty years ago, in Berner's-street. Mr Fauntleroy, the father of the prisoner, became a partner at its establishment,

and continued such till his death in 1807. At that period the prisoner was admitted into the concern. Previously to that time, the prisoner had been largely engaged in an extensive house in the city, and hence had become familiar with business, especially that of banking. With such qualifications he became the most active, or, it might be said, the only active member in the firm. All the details of the business were under his almost exclusive control. Hence the inspection and management of the books constituted his peculiar care. In 1815, Frances Young, of Chichester, a customer of the house, lodged in their hands a power of attorney, to receive the dividends on 5450*l.* 3 per cent consols. That power did not authorize them to sell. The dividends were regularly received, but soon afterwards application was made to the bank to sell 5000*l.* of that sum on a power of attorney, purporting to have been granted to the prisoner. When applications were to be made to the bank, under such circumstances, to sell, it was customary to notify the same on slips of paper. Such a notification was made in the present instance; but though these slips of paper (which, as might be supposed, rapidly accumulated) were carefully preserved, the slip connected with the transaction could not be found. It thus could not be shewn who presented that slip, or in whose hand-writing it might be. The power of attorney, however, was regularly presented, authorizing the prisoner to sell 5000*l.*, purporting to be signed by Frances Young, with the attesting signatures of John Watson and James Tyson. These three signatures were forgeries. John Watson and James Tyson would be called, and would state that they neither of them saw Frances Young sign such a document, nor did they attest it themselves. The instrument was filled up

regularly, in words at length; and it would be shewn, that the hand-writing was that of the prisoner at the bar. The two witnesses were designated clerks to Messrs Marsh and Co. All those signatures were in the hand-writing of the prisoner. But if that were not so, the prisoner must have been acquainted with the writing of the clerks, and thence would have discovered the forgeries if he had not been a guilty party. The power of attorney was left in the bank in the customary manner, and remained there twenty-four hours, in order that the bank books, &c. might be regularly examined. Such time having elapsed, the attorney (the prisoner at the bar) attended at the bank to effect the transfer. The attorney must attend in person on such occasions, and write at the bottom, "I demand to act on this power of attorney." This the prisoner did on the 21st of June, 1815, and signed his name at full length, after having written such words. Thus it would appear that the power of attorney, authorizing himself to sell the 5000*l.* was wholly prepared by the prisoner; he, therefore, must have known it to be a forgery. The learned gentleman said, he would now come to a more important and conclusive part of the case. If there had been any doubt about the preparation of the power of attorney, he would presently produce a document of so extraordinary a nature, as to leave no doubt of the part which the prisoner had acted in these transactions. The key with which the prisoner locked his desk he wore attached to his watch chain, and on his apprehension it was taken from him by the officer. That officer, afterwards, went to Berner's-street, to make various searches. In one room of the banking-house, there were a number of tin cases, containing deeds, &c. the property of their customers, and in front of all of them, with one exception, were

painted the names of the customers to whom such property belonged. That case on which nothing was written attracted the peculiar attention of the officer, and he found that it was to be opened by a key which he had discovered locked up in the prisoner's private desk. In that box there were many documents of a private nature, and connected with money transactions in which the prisoner and the house were engaged. Among them was one of the most extraordinary nature, and which he was about to read. The whole of this document was in the hand-writing of the prisoner.

The Attorney-General then read the paper of which he had spoken, which presented the following item, &c.—“De la Blache, 11,150*l.* 6*s.* 4*d.* consols; Elizabeth Young, 5000*l.* consols; General Young, 6000*l.* consols; Frances Young, 5000*l.* consols; John Kerry, 6000*l.* consols; Lady Nelson, 11,595*l.* consols; Mrs Pelham, 20,000*l.* 4 per cents; the Earl of Ossory, 7000*l.* 4 per cents; John Bower, 9500*l.* 4 per cents; M. C. Parkin, 4000*l.* consols; Lord Aboyne, 61,540*l.* consols; E. Fauntleroy, 3050*l.* 5 per cents; Peter Moore and John Rush, 21,500*l.* consols,” making altogether a total of about 170,000*l.* The whole of this document was in the hand-writing of the prisoner, as was also the following memorandum:—“In order to keep up the credit of our house, I have forged powers of attorney for the above sums, without the knowledge of any one of my partners—7th May, 1816.—Henry Fauntleroy.” A little below was added—“I have regularly placed the dividends to all their accounts respectively, but I have never posted them.—P. S. The bank began first to refuse our acceptances, and thereby to destroy our credit. They shall, therefore, smart for it.—H. F.”

Perhaps a more remarkable document was never produced in a court

of justice, and it was extraordinary, that, though written so far back as 1816, no circumstance should have induced the prisoner to destroy it. The fact was unaccountable, but there was the document, and it would be proved to be in the hand-writing of the prisoner. The Attorney-General then detailed, at great length, the manner in which the prisoner had transacted business by means of his broker, and called on the Jury to discharge their duty to the prisoner at the bar, and, at the same time, to do justice towards their country.

The counsel then proceeded to call witnesses.

The first witness, John Tyson, a clerk in the bank in Berner's-street, proved that the signature of his attestation of the execution of the power of attorney for the transfer of Miss Young's stock was a forgery; he likewise proved that the instrument was filled up in the hand-writing of Mr Fauntleroy; he had never seen Miss Young.

John Watson, also a clerk in Mr Fauntleroy's bank, and the other attesting witness, gave a perfectly similar testimony.

Mr Browning, the proper officer of the Bank of England, proved that Mr Fauntleroy had acted upon the instrument on the 1st of June, 1815.

Mutual releases between the Bank of England and Miss Young were then put in and proved; it was also proved by Mr Best, the secretary, that the directors of the bank had, by an order of the 21st instant, replaced to Miss Young's credit the stock transferred under the instrument uttered in 1815.

Miss Young (an elderly lady) was then produced. She proved that her name, signed to the power of attorney, was a forgery; and that at the time at which it purported to be signed by her in London, she was residing at Chichester.

Mr Spurling, who had acted as the broker to the bank in Berner's-street, proved the sale of Miss Young's stock on the 1st of June, 1815, at 59; the produce, two thousand eight hundred and fifty pounds, was found to tally exactly with an entry of the same date to the credit of Mr Fauntleroy's personal account in the private ledger.

Plank, the police-officer, and Mr Frêshfield, solicitor to the bank, then deposed, that after Mr Fauntleroy's arrest, they had found in the bank in Berner's-street two tin cases, which they opened by keys found in the private desk of the prisoner, which desk they opened by a key that they found appended to the prisoner's watch. In one of these boxes they found, among a great number of private memorandums and diaries in the prisoner's hand-writing, the sale note of Miss Young's stock, which, according to Mr Tyson's statement, had the transaction been regular, would have been filed in the office. Along with these they found papers, referred to in the Attorney-General's opening speech, which Mr Tyson and Mr Watson deposed to be in the hand-writing of the prisoner.

The case for the prosecution closed here.

After Mr Gurney had ineffectually urged some objections of form to a power of attorney, and which were instantly overruled, Mr Justice Park thus addressed the prisoner.

Henry Fauntleroy.—The case for the prosecution being now closed, and the objections overruled which the ingenuity and attention of your counsel have raised, now is the time for you to state anything you may have to urge in your defence, either to the Court or Jury.

The prisoner then rose, and taking from his bosom a paper in the shape of a brief, turned towards the Jury, first heaving a sigh, indicating the deep

workings of his mind, and yet evidently struggling for an exertion, begged permission to add a few words. The purport of his address, was to give a detail of his first connexion with the house in Berner's-street, and of the embarrassments with which at various times, from its establishment in 1792, to its recent overthrow, it had been assailed. In that year his father, in conjunction with two persons more in the firm, founded the bank. In 1794 the firm sustained a loss of 20,000*l.*, and in 1796 Mr Stracey and another person joined the firm, without adding any more to the funds of the concern. In 1800 he came in as a clerk, and till 1806 so continued without any salary, but was handsomely rewarded. In 1807 his father died, and although but twenty-two years of age, he became a partner, when the entire management of a concern, reeling under the pressure of former losses, was thrown upon him. Increased as were these losses, by large advances for building speculations, in 1816, owing to the bankruptcy of Bucknard and Co., a sudden demand was made upon them for 170,000*l.*, the greater part of which consisted of bills, which had been discounted for the firm in 1814, 1815, and 1816. The speculations in buildings required, for advances to builders and bricklayers to the extent of 100,000*l.*, and which had greatly aggravated their embarrassments. In 1817, the most substantial partner in the firm died, when his capital was withdrawn; amidst these accumulating evils the prisoner observed, that he was almost driven to despair; broken-hearted at the calamities which afflicted the house, and the absence of all personal aid from his partners, who cared not whence relief came, so that it did come.—Mr Stracey, he continued, went and remained in France for two years, pursuing his own private business, leaving him to contend

with the difficulties of the concern. In consequence of these calamities, he resorted to those measures, which he did not justify, and which he now stood before them to answer for. While he sought to criminate no one, these statements were necessary in his vindication. The prisoner (after refreshing himself with a glass of water, which he put to his mouth with a trembling hand) then proceeded to rescue himself from what he deemed the unjust and illiberal accusations of the public press; and took the charges in detail. His house at Brighton, which had been represented as a scene of boundless extravagance, he had taken only for his mother, the annual expenses not exceeding (exclusive of wine) 400*l*. His house at Lambeth was devoted to his two children, and which was in its nature strictly private and unexpensive—here it was (and this was the most, or rather the only, touching part of the address) that he retired in the evening, to seek in the innocent playings of his infants, for an asylum from the overwhelming cares of the house, which every hour thickened about him. As to gambling, although he belonged to two clubs, the Albion and Grahams, he never touched a card, nor cast a die. The prisoner, after repelling the charge of profligate associations—of lending money to abandoned females, proceeded briefly to state, that his connexion with the female who bore his name, was not coerced by her brother, as had been reported—that gentleman being at the time on his passage from India. What he then did, he should again do; and he was sure that every honourable mind would sanction his conduct, did delicacy allow him to disclose the whole circumstances. But it was consolatory to his mind to know that the lady was still actuated by the kindest feelings towards him. The prisoner concluded his address (which

occupied something less than fifteen minutes) by declaring, that, cruel as were the calumnies of the press concerning him, he was yet thankful that they were made while he yet saw the light, and that they were not reserved to be heaped upon him when laid low in the grave. Had his life been the sole object that was sought, he could have borne his sufferings in silence, but he could not bear to lie under the opprobrium of being a “cold-blooded and abandoned profligate.”—In conclusion, he begged the Jury and the Court to believe that he felt grateful for the indulgent attention which had been extended towards him.

The prisoner sat down deeply affected, and almost immediately applied the handkerchief to his face, and continued to lean on it.

Witnesses were then (at two o'clock) called to character, namely, Mr Wilson, Sir C. Forbes, Mr Gray, J. Burton, A. Brown, J. Montague, Mr Rons, Mr Yatman, &c. who had known him for many years, and that they had always deemed him to be a man of the strictest integrity. They considered him to possess the highest character for honour. Some of them had known him for more than a quarter of a century.

Captain Burges was called, but did not answer; as was the case with Mr Ward, Mr Down, &c. Mr Bushner, in bearing testimony to the prisoner's character, said, he had considered him to possess every qualification that a gentleman ought to possess.

Mr Justice Park began to sum up to the Jury at half past two o'clock. Having described the indictment, he said it was necessary for the Jury to consider the counts regarding the forgeries; for, as they were acting in the London jurisdiction, it was necessary for them to have proof of the forgeries having been committed in London. There was no such proof; the forgery

of Miss Young's name in London was not in proof; but the issuing of the document, "knowing it to be forged," if that were proved, would be sufficient for the ends of justice. The legal offence was attended with the like penalties. The prisoner, in the course of his defence, had alluded to that which had frequently given him pain, and to which he had often alluded—he meant the publication of matters regarding a prisoner, previously to trial, matters that were calculated to excite odium and prejudice against him. The prisoner had properly alluded to it, if he felt that such publications had injured him. As the prisoner had made such complaint, he had not interrupted the reading of that statement which the prisoner was advised to read to the Court. His Lordship said, whatever might be the consequences to himself—he must do his duty—he must again condemn such publications. They were most improper and most injurious. They were calculated to excite prejudice, and to prevent the accused from having a fair trial. His Lordship then proceeded to recapitulate the evidence, and to comment upon it. After having gone through the whole of the case, the learned Judge remarked in conclusion, that character could only weigh in doubtful cases; but if the prisoner had borne the character of an angel, and the charge was established by the evidence, they would be bound to return a verdict of guilty. They were not there to try questions of character.

The Jury retired at ten minutes before three, to consider of their verdict. Atten minutes after three o'clock, the Jury returned into Court.

Clerk of the Arraigns.—How say you; is the prisoner Guilty or Not Guilty?

The Foreman.—Guilty of uttering the forged powers of attorney, knowing them to be forged.

Several of the Jurymen were much affected; one of them could scarcely keep his seat.

Some consultation took place between the Judges, counsel, &c.

The prisoner stood up, and was greatly affected. His hands trembled, and he could scarcely hold the handkerchief to his face or mouth.

Judge Park.—You may sit down for the present.

The consultation continued for about a quarter of an hour. It having concluded,

Judge Park addressed the prisoner, observing, that the Attorney-General did not deem it necessary to go any further with these prosecutions. The Judge added, that it was no part of his painful duty to pass sentence on the prisoner; that would be done by the Recorder, towards the latter end of the session; but, as a Christian Judge, he could not lose the opportunity of beseeching the prisoner to think seriously of his latter end. The power of bestowing mercy rested with the Sovereign. He did not say that mercy was impossible; but after the proof that had been adduced, and the extraordinary testimony under his own hand, he did not think that the prisoner had any reason to look for mercy in this world. It was, therefore, to be hoped that he would see the propriety of preparing for his latter end—of endeavouring to make his peace with God.

The Judge was so affected as to be scarcely able to utter the latter part of this short address.

The prisoner was then removed from the bar. He was greatly agitated. Mr Wontner and another officer assisted him to retire.

*November 2.*

Mr Fauntleroy was brought up for judgment, when Mr Alley rose to in-

terpose a legal objection. His Lordship was, doubtless, aware that the conviction of the prisoner had taken place, not generally, but on the count of the indictment, charging him with having uttered a forged power of attorney for the sale of stock, knowing it to be forged at the time of uttering it. Had the conviction taken place on the indictment generally, which would have declared the prisoner to have been guilty of forging the instrument, he would not have had to trouble his Lordship on the present occasion. There was an express act of Parliament which made the forging of a power of attorney a capital offence. Up to the reign of George II., it was not made a capital offence to utter a forged deed. By the 8th of George I., it was a capital offence to forge a bond or security for money, &c., but the penalty did not extend to the act of uttering such an instrument. It was, therefore, clear, that under the act of the 8th of George I., judgment of death could not be pronounced on a conviction for uttering the instrument knowing it to be forged.

Mr Bosanquet replied at some length.

Mr Baron Garrow then proceeded to deliver his decision. The awful period had arrived, when, according to the forms of the law, that unhappy person at the bar was called upon to declare whether he had anything to say why the Court should not pass judgment on him to die. The learned Recorder of the city of London, who, by ancient usage and custom, was the organ by which the sentence of the law was pronounced on the proper occasions, had unnecessarily—he must give him leave to say so, when he considered his long experience and great learning—called upon him (Baron Garrow) and his learned brother, who presided at the trial of the prisoner at the bar, to be present on this occasion. He regretted that the short no-

tice which had been given of the intended proceeding had rendered it impossible for his learned brother to attend and give the Court his valuable assistance. He, however, regretted the circumstance the less, inasmuch as he was not able to satisfy his mind that he could, with propriety, entertain the slightest doubt with respect to the question which had been raised. The law of England did not permit a judge to allow his feelings, even when favourable to the party under accusation, to influence his judgment; but, thank God, it did not forbid him to feel like other men; and if he entertained the opinion that the judgment of death ought not at the present moment to be pronounced according to law upon the unfortunate gentleman at the bar, he should hasten to declare that opinion, in order that, as far as his poor authority was concerned, the poignancy of the prisoner's deep affliction might, at least for a moment, be alleviated. He owed it to his own feelings, and to a consideration of the awful situation of the prisoner, not to state that he entertained doubts when he entertained none; by doing so, he would only divert the prisoner's mind from an object of infinitely greater importance than any which was passing in that Court, even although it concerned his own interest,—an object to which the humane Judge who tried him invited his attention, and, it was to be hoped, not without success. He regretted that the interval occupied in the present proceedings (not improperly, for it was the duty of the prisoner's legal advisers to catch at everything which might afford a chance of averting his sentence) should interrupt the course of thought which he hoped and believed the prisoner since his trial had indulged in. It was a great consolation to him in determining the present question, to know that the prisoner's fate did not depend

on his very fallible judgment, but that down to the very moment for sealing the warrant for carrying the sentence into execution, if any doubts should arise in the minds of the law-officers of the Crown, they would be submitted to the united wisdom of all the Judges of the country. He was at present only called upon to deliver his opinion with respect to the objection which had been raised, and he was bound to say that he entertained no doubts on the subject. The law required that on the face of the record, the offence with which the prisoner was charged, should, for the information of the present age, as well as of the latest posterity, be fully stated, to justify the coming judgment. The indictment stated, that the person about to receive judgment, uttered, knowing it to be forged, a power of attorney purporting to be executed by Frances Young. This was stated to be in violation of the statute, which had provided the punishment of death for all who should utter any forged deed, knowing it to be forged. The forged instrument set forth in the indictment had all the formalities of a power of attorney. It was sealed, and purported to be attested by two witnesses; so that, if it had been genuine, it would have operated for the purposes for which it was intended. It had been said, that the word "deed" contained in the statute was to be understood, not as applying universally, but as limited and circumscribed to instruments of a certain character of which the present forged instrument was not one. The argument had, in his opinion, been sufficiently answered at the bar. It had been remarked, that the Court would not allow its judgment to be influenced by the probability of a prisoner escaping unpunished. Judges were bound to administer the law as they found it. If

the law would not reach the offender, he must go unpunished, and the powers of the law must be extended so as to bring future offenders within its reach. It was the duty of the Court to read the law as it was. He must look to the act of Parliament—that was the text on which he was to comment—that was the rule by which his conduct was to be governed—the compass by which he would steer his course. He found, then, that the statute mentioned the word "deed" without any qualification. There was no exception in favour of a power of attorney. Not even in favour of life to a prisoner, did he dare to write those words in any statute; it would be as unpardonable as to write in terms of blood something to aggravate his guilt. He could find nothing in the arguments to convince him that the legislature, in speaking of a "deed," meant an instrument convertible into money. He was indeed at a loss to know what deed could be predicated as not convertible into money. A bill on goods was convertible into money as soon as they could be sold. A building-lease was convertible into money as soon; for the moment the holder procures ground and building materials he may sell it. These were instruments not convertible into money, but by some act to be done by the holders of them. That was the case with the deed set out in the indictment; by presenting it at the bank, the prisoner was enabled to get into his own hands 5000*l.* stock. It was a deed as much convertible into money as any class of deeds which could be referred to. But what was to be done in cases where deeds were not immediately convertible into money? He would suppose A was about to marry B, with whom he received a large portion. When they married, the parties entered into deeds of settlement, the



effect of which was to keep the property in the hands of both parties for certain uses ; on the death of one party, to go to the other ; and on the death of both, to go to the children. Could any one say that this was a deed convertible into money ; and yet would any one say that it was excluded from the protection of the statute ? In short, if the present case were excluded from the operation of the statute, all kinds of deeds would be equally excluded. He might have contented himself with stating that the question had already been argued and determined. He alluded to the case of Waite. Mr Waite was a gentleman practising at Bristol as an attorney. In an evil hour he executed a forged power of attorney, authorizing a person in London to transfer a quantity of stock. The person in London believing the instrument to be genuine, acted upon it. Mr Waite was indicted, not for forging, but for uttering the instrument in London knowing it to be forged. Mr Waite was convicted, and beyond all doubt properly convicted ; but a question arose as to the competency of a witness, which was argued with great ability, amongst others by Mr Serjeant Bosanquet and the learned Mr Campbell. The Judges would never have entertained such a question for a moment, with the fact staring them in the face, that the instrument which had formed the subject of the trial, was not a deed in the contemplation of the statute. He felt bound to say that he would have felt no difficulty or hesitation in deciding against the point which had been raised on behalf of the prisoner. He would conclude, that in delivering that opinion, he experienced consolation in knowing, that, to the latest period previous to the execution of the sentence, (if it should be carried into execution,) the prisoner would have the benefit

of the united wisdom and learning of those who presided over the administration of the law in this country.

The Recorder expressed his concurrence with the opinion which the learned Judge had pronounced.

Mr Fauntleroy then rose, and read the following statement :—

“ My Lord—I am well aware that no emergencies, however pressing—that no embarrassments, however great, can be listened to as an excuse for the offence of which I have been found guilty ; but I trust it may be considered as some palliation in a moral point of view, that a desire to preserve myself and others from a bankruptcy, and not personal aggrandizement or selfish gratification alone, urged and impelled me to the acts I have committed ; and when I first deviated from rectitude, it was owing to an acute, although I admit mistaken feeling, to obtain temporary relief ; and not from any deliberate intention to defraud. God knows my heart, and the truth of my present declaration, that I hoped, and fully intended, to make restitution immediately when the expected prosperity of the house would have enabled me. This must, I think, my Lord, appear evident, from my having frequently replaced the money withdrawn ; and the bank books will prove, that many of the sums mentioned in the document written in 1816, have been since re-invested by me to the credit of the parties. That document, my Lord, has been supposed to have been prepared in contemplation of flight : this idea is, however, erroneous, and is sufficiently refuted by my continuance at my residence and business for years subsequently. The only object and intention of that paper was in the event of sudden death, before the whole of the money should be re-invested, to absolve every one besides myself even from suspicion. Unfor-

unately for me, a succession of adverse events, which I could neither avert nor control, (and part of which I detailed at length on my trial,) led on from one false step to another, until the affairs of the house became so involved that extrication was impossible. In these difficulties, I offered myself as the only sacrifice; and it is my duty, as a man and as a Christian, to resign myself to my fate. For me, my Lord, fallen and degraded as I am, life has no allurements; and a momentary pang will at once put an end to my mental agonies and to my earthly existence.—But, my Lord, I have numerous relations—amongst them my dear and venerable mother—whose feelings I reverence; and for their sakes more than my own, I venture to supplicate that I may not be doomed to suffer a violent and ignominious death. If crime, my Lord, can be atoned for by suffering, my offences, heavy as they are, have long been expiated, not merely by the overwhelming embarrassments of the concern in which I was engaged, but by years of anxious terror and agonizing apprehension; and if, my Lord, the anguish of mind I have endured for the last sixteen years of my life, and the peculiar circumstances in which I have been placed ever since I arrived at man's estate, could be made known to my most gracious Sovereign, I venture to hope that his Majesty's benevolent and feeling heart would be touched with compassion for my situation, and that I should not be considered an object wholly undeserving of the royal clemency. May I, therefore, my Lord, presume to solicit your Lordship's humane interposition, to communicate, for his Majesty's merciful consideration, the circumstances to which I have alluded; and, on behalf of my dearest relations, I supplicate that

the punishment of death may be remitted."

The unhappy man read audibly and distinctly, except at that part of the address which alluded to his mother; there his voice faltered, and he struck his hand forcibly on the bar. When he concluded, he resumed the calm demeanour which had previously characterized him.

## COURT OF KING'S BENCH.

*December 21.*

MISS FOOTE AGAINST MR HAYNE,  
• FOR BREACH OF PROMISE OF MARRIAGE.

Mr Platt opened the pleadings, and said, that the first count of the declaration stated that the defendant had promised marriage to the plaintiff, which he afterwards failed in performing. There was another count, which stated that the plaintiff, exercising the calling and profession of an actress, had been induced to abandon it on the defendant's promising to marry, which had occasioned her to sustain damages, laid in the declaration, to the amount of 10,000*l*.

The Attorney-General then rose and addressed the Jury for the plaintiff. This, as had been stated to them by his learned friend, Mr Platt, was an action for a breach of promise of marriage. The defendant in this case, Mr Hayne, was a young gentleman, about 23 or 24 years of age, possessed of a large independent fortune, a man of the town, a man of fashion and gaiety. He was living in a house in Upper Brook Street, Grosvenor Square. He possessed a country-seat in the neighbourhood of London, and was occasionally residing at

an hotel in Bond Street, for the purpose of rendering his association the more easy with those persons over whom his fortune had given him a control. The plaintiff, Miss Foote, was well known to be a lady of great beauty and accomplishments, and possessing the utmost fascination of manners. She was the daughter of a gentleman who had been an officer in his Majesty's army, and she was an actress of the highest talent; she did not come there, nor was it his intention on her part, to excite the compassion of the Court and Jury in her favour, she came there merely for justice against Mr Hayne, for an injury done to her feelings of the deepest kind. The Jury would consider the situation in which Miss Foote had been; and whatever, long previous to the period of which he was then speaking, might have been the conduct of this persecuted lady, he was sure the gentlemen of the Jury would see that this was a case calling for a large amount of damages. It must evidently be no small part or aggravation of the plaintiff's sufferings to be obliged, as she now felt herself, to expose and to state every circumstance of her private life before that Court and the world. She, however, expressed no desire to conceal the errors into which she had unhappily fallen; and when the Jury considered the situations of peril and temptation in which she had been placed, he was quite sure that they would not think these errors altogether unpardonable. The father of Miss Foote, in order to bring up his family in respectability, had taken the Plymouth theatre, at which the present plaintiff first made her appearance before the public, as an actress. Mr Foote having given up his commission, and the corporation of Plymouth having erected a rival theatre, his daughter's friends considered her

talents so high, that there was a fair prospect of her succeeding on the London stage. An application on her behalf was accordingly made to Mr Fawcett, then stage-manager, and that gentleman, with the kindness and liberality that always distinguished his character and conduct, answered, that although he never advised or recommended young females to appear on the stage, or to adopt a theatrical life, yet, if she chose to make her appearance, he would use his best influence in her behalf, in order to secure her success. She, accordingly, made her first appearance in London in the Child of Nature, and although without any party to flatter her, she played with so much of talent and feeling as at once to ensure herself success. A three years engagement followed this effort, and so far she neither disappointed the opinion of her friends nor the judgment of the public; but, on the contrary, she attracted the attention of many ladies of high rank, who received her with the utmost partiality and attention. About the period when she was 17 or 18 years of age, she had the misfortune to be invited by the proprietor of the Cheltenham theatre to play there. She accepted the invitation, and soon arrived at great popularity. In the progress of the season her benefit arrived, and then it was communicated to her by the manager, that a gentleman of great wealth and influence, and of much popularity,—a gentleman deeply skilled in the world, and in intrigue, and one of no mean theatrical talent himself,—in short, Colonel Berkeley, the eldest son of the late Earl of Berkeley, was desirous of playing a part with her, for her benefit. She entertained no suspicions of his having formed any improper designs against her person or peace, and this led her to accept his offer. The (the Attor-

ney-General) would acquit the Colonel of having, at that time, formed a premeditated scheme to effect her ruin. The Colonel shewed the most marked attention—soon avowed the warmest regard and affection for her, and finally offered her marriage; but, as he was then making application for a peerage, and was petitioning his Majesty to that effect, it was impossible their marriage could take place then, as her profession and present situation in life would throw such an obstacle in the way, that the prayer of his petition would never be granted. Still his attentions and his professions of deep regard and affection increased instead of diminishing, and about a year after she had met him at Cheltenham she became the victim of her tenderness and attachment towards him. For five years she lived under the protection of Colonel Berkeley, and all that time he gave no intimation that he would not perform his promise of marrying her. During all that time he made her no pecuniary allowance beyond the payment of those expenses which he himself had led her to incur; and for the whole five years that she continued to live with him, the presents he made her did not amount in value to 100%. This connexion was no secret, but it was carried on with so much of decency and decorum, that Miss Foote never passed a night out of her father's house in Keppel-street during the whole five years that she was under the protection of Colonel Berkeley, nor did the Colonel, in all that time, ever pass a night in that house. To suppose that a man of the world, like Mr Hayne, and one who had mixed in society as he had done, could be ignorant of this connexion, was to draw too largely on the credulity of others. In 1821 Miss Foote had a child by Colonel Berkeley, and he told her that she must consent to

have her confinement in secret, as, if it were known, he could never afterwards make her his wife. She, therefore, consented, and went to a considerable distance into the country, where she was confined; and so anxious was she to comply with his wish for concealment, and that there should not be the slightest ground for suspicion, that in three months she returned to the stage, and appeared again at Covent-Garden Theatre. Things could not go on thus for ever. In 1823 she was again pregnant by him. Then it was that she began to see the misery of her situation. For five years she had lived under the protection of Colonel Berkeley, and she at last resolved, that unless he fulfilled his promise of marrying her before the birth of this child, all intercourse between them must cease for ever. This was communicated to Colonel Berkeley; and at first he gave her every assurance of marriage, but he gradually failed in his attentions. Miss Foote now saw no hope of his realizing his promises, and she renounced all communication with him, in June 1824; in fact, she has never seen him since the February before, and the only intercourse between them was by letter. The Gentlemen of the Jury must feel for a female obliged to make this public exposure of her errors, but she did not seek to justify them. Still he would again ask if they were entirely unpardonable, considering her having fallen into the power of a man of dexterity, intrigue, and knowledge of the world—possessed of fortune, person, and manners, sufficient to captivate and allure a young and inexperienced female? In the spring of 1823, Mr Hayne first saw Miss Foote at the Covent-Garden Theatre. He was struck with her beauty, admired her talents, and became anxious to be introduced to her. That could not

be accomplished, as she lived retired at her father's house; but in June her benefit came on, when Mr Hayne called at her house in Keppel-street, to procure boxes for himself and his friends. He then conversed with Miss Foote, but had more communication with her father. Thus their acquaintance commenced, and Mr Hayne invited Mr Foote to spend some days with him at Kitson-Hall, in Staffordshire, a seat which Mr Hayne then occupied. The invitation was accepted by Mr Foote, and here it was that Mr Hayne informed him of his anxious wish to pay his addresses to his daughter. Mr Foote told him that it was in vain, as she had been for some time under an engagement to marry Colonel Berkeley. Thus the matter was broke off at that time, but in January last, Mr Hayne came to Keppel-street, and repeated to Mrs Foote what he had said to Mr Foote in the country, about his wish to pay his addresses to her daughter. She also repeated to Mr Hayne that her daughter was under an engagement to marry Colonel Berkeley; that it was one of long standing; but that if the arrangement with Colonel Berkeley was not completed, there could be no objection to Mr Hayne, as a young gentleman of character and fortune. Mr Hayne expressed himself contented; time passed on, and in May he came to town, and wrote to Mrs Foote, requesting to know if the decision respecting Colonel Berkeley had been finally come to. On the 28th June all communication with Colonel Berkeley had ceased, and then it was that Mrs Foote wrote to Mr Hayne upon the subject of her having no objection to his visiting Miss Foote, and upon that he instantly came to town. The letter to him was written on the 24th June, and on the 28th he appeared at Keppel-street. There

he declared his passion again, and asked her to marry him; he eagerly pressed his suit, and succeeded in obtaining her promise of marriage. The delay in making the disclosure of her connexion with Colonel Berkeley was attended with unfortunate results; but still Miss Foote determined on making it whenever the next opportunity should arrive. However, very unhappily for her, others, from what motive he knew not, thought proper to interfere, and for a moment cast upon her a considerable shade. The Jury would no doubt be astonished when he told them, that everything which was done by Mr Hayne and Miss Foote was known to Colonel Berkeley, in some way or other, by the medium of spies; he was informed of their interview, and of their intended visit to the opera. What right, he would ask, had Colonel Berkeley to interfere in this young lady's concerns? He had seduced her under a promise which he had violated, and she had broken off all connexion with him. What right, then, had Colonel Berkeley to interfere with any arrangement which she might choose to make? Colonel Berkeley, however, accompanied by Mr Maxse, went to the pit of the opera on the night when Mr Hayne and Miss Foote were there. Colonel Berkeley immediately sent Mr Maxse to the box in which Mr Hayne was, requesting to speak with him in the pit. When Mr Hayne came to him, he asked him for an explanation of his conduct with respect to Miss Foote, and required a meeting for the next afternoon, when Colonel Berkeley would be attended by Mr Maxse. Mr Hayne thought this meeting was to be of a hostile nature; indeed, nothing else ever entered his mind, until Colonel Berkeley told him it would be a perfectly friendly communica-

tion. Colonel Berkeley had no previous acquaintance with Mr Hayne; but when they met next day, everything relating to his connexion with Miss Foote—everything relating to the two children, was disclosed by him to Mr Hayne. Colonel Berkeley laughed and joked about the matter, and even produced a paper which he proposed that Mr Hayne should sign, calling on Miss Foote to declare she would in future live under the protection of Colonel Berkeley or of him (Mr Hayne.) This was refused. Mr Hayne, however, very naturally said, that he would break off the match between himself and Miss Foote, and Colonel Berkeley said, scoffingly, "Well, I suppose I must go and pass the night in Keppel-street, and try and console Miss Foote for the loss she is likely to sustain." To do an injury to a female was totally unworthy of any man of honour; but for a man to blight the prospects of a beautiful and amiable woman, whom he had ruined, was conduct such as he (the Attorney-General) could not trust himself in using language he thought sufficient to express his detestation. Mr Hayne, accordingly, wrote a short note to Miss Foote, apprizing her, that, after what he had been told, it was impossible for him to continue the connexion. Neither he nor his client blamed Mr Hayne for this determination. The circumstances of the two children certainly justified him in breaking off the match. When Miss Foote received the note, she was immediately satisfied that she had been treacherously dealt with; but Mr Hayne had acted kindly by her, and she felt grateful to him. She was most anxious to inform him that she had no desire to hold him to his engagement, and therefore solicited an interview with him in order to explain everything to him, which took place at

Marlborough, in the presence of Miss Foote's mother. Of this meeting Colonel Berkeley also, by some means or another, became acquainted, and he deputed Lord William Lennox to watch the movements of the parties; at the meeting, Miss Foote explained her conduct, and Mr Hayne expressed himself perfectly satisfied; he treated Miss Foote with kindness and attention; they returned to town, and she shortly received a letter from him, inviting a renewal of their correspondence. At this period the two children which Miss Foote had by Colonel Berkeley were under the protection of their mother; but a negotiation was on foot for removing them from her, and placing them under the care of the Colonel. Miss Foote, entertaining the feelings of a mother, was, of course, very averse to the proposition for her parting with the children; Mr Hayne, however, pressed her to accede to the proposition, urging as a reason that the future interests of the children would probably be advanced by being under their father's eye, and Miss Foote very reluctantly consented to relinquish the custody of them, and they were placed under the care of the Colonel, and by this means the last link of the connexion between them was dissolved. After this Mr Hayne waited upon Miss Foote in Keppel-street, and made his proposal of marriage. The Jury would recollect, that Mr Hayne was not a boy; he was at that time in his 23d or 24th year.—(Mr Scarlett here said he was at the time only 22.)—He was versed in the affairs of the world, and was perfectly capable of both judging and acting for himself. He distinctly renewed his proposals of marriage, declared himself perfectly satisfied with the conduct of Miss Foote, and deprecated the cruel treatment she had received at the hand of Colonel Berkeley. Miss

Foote told him that she placed the most implicit reliance on his good faith and honour, and consented to a renewal of their former acquaintance. Mr Hayne told her that he was about to go into the country, but would write to her on the road, and on the next day he fulfilled his promise by writing to her; the letter was dated 31st July, and commenced,—“ My dear Maria,—It was so dusty and unpleasant to-day, that I determined to stay a night on the road.” The letter went on to state, that she was already aware, that the motives by which he was actuated towards her were of the most honourable nature, but still it was due to her that he should openly state them, as, although he was aware she did not doubt him, yet the world might. The letter then spoke in terms of warm attachment, and concluded by requesting that she would write to him often, and tell him at all times candidly her ideas. Here, then, said the Attorney-General, was a deliberate promise of marriage made by Mr Hayne, after mature consideration. He shortly returned to London, and Miss Foote being in a delicate state of health, he proposed that she should, with her mother, visit either Ramsgate or Broadstairs, which they did, he himself leaving town for another part of the country. About the middle of August Mr Hayne returned, at which time Miss Foote also returned—he daily visited her—and their intended marriage was the main topic of conversation. It was at first proposed that it should take place on the 4th of September, which was Mr Hayne’s birth-day. It was afterwards deferred to the 6th, and that day was finally fixed for its celebration; in the interim, Mr Hayne proposed a journey to Southampton, and himself, Miss Foote, her mother, and father, went there. Mr Hayne, how-

ever, shortly left them in order to attend some races, but appointed to meet them at Bath, which he afterwards did; they returned together to London; and the 6th of September was looked forward to as the nuptial day. A marriage-settlement was, of course, considered necessary, and Mr Robins was named as the trustee for Miss Foote. Instructions were given to the solicitor to prepare the settlement, and Mr Hayne, Mr Bebb, the solicitor, and a Mr Walker, attended on the 3d September to consult together for that purpose. To these gentlemen Mr Hayne expressed the warmest attachment for Miss Foote; he stated, that he had recently suffered great losses by the depreciation in the value of his West India property, but that he had 46,000*l.* in the funds, 40,000*l.* of which he was anxious to settle on Miss Foote, in this way, for himself and her to receive the dividends during their joint lives, and after the death of the survivor of them, to be distributed equally amongst the children of their marriage, if any; and if at the death of Mr Hayne, and Miss Foote should survive him, but have no children, then half the 40,000*l.* was to become the absolute property of Miss Foote, and the remaining half Mr Hayne was to be at liberty to dispose of by his will. A Mr Gill was desired to prepare the draft of settlement on these terms, and to call on Mr Hayne at his house in Grosvenor-street with the draft. On the following night he called with it accordingly, and there saw Mr Hayne in the presence of Mr Carter, his present solicitor; they desired him to leave the draft, and about half past ten at night it was returned without any alteration to Mr Gill; the following evening, at six o’clock, was appointed for executing the settlement, but, at Mr Gill’s request, it was deferred until 10 o’clock.

Mr Hayne attended in the evening for the purpose of executing the settlement, but it not being quite ready, and he stating that he had a large party at his house to celebrate his sister's marriage, the execution of the settlement was again postponed until the morning of Monday, the 6th of that month, which was the day appointed for the marriage. The Jury would, however, be surprised to learn, that on Sunday, Mr Bebb, Mr Hayne's solicitor, called in Keppel-street, at Mr Foote's house, and left a verbal message, stating, "that Mr Hayne would never see Miss Foote again." For such strange, such unbecoming conduct, no cause whatever was assigned—no charge was made which could, even in the slightest degree, justify it. Miss Foote was astonished at this. The surprise occasioned by a verbal message of this nature the Jury would be able to consider, when he told them Miss Foote was aware that Mr Hayne was surrounded by a set of persons who appeared to take a most extraordinary interest in his affairs, and who were anxious beyond measure to put a stop to his correspondence with Miss Foote. Placed in this situation, Miss Foote, on the Monday, wrote to Mr Hayne, soliciting him, by all that was dear to her and to him, to call upon her and explain his conduct. The bearer of this letter met Mr Hayne in Bond-street, and he returned with the servant in a coach to Miss Foote, in Keppel-street. He affirmed that it was not his fault that he had thus acted towards her; that it was also his firm intention to have fulfilled his engagement, but that on his return home on Sunday, some person first plied him with liquor, so as to make him in such a beastly state of intoxication that he knew not what he did; that they afterwards locked him up in a little back room, from

which he had only that moment made his escape, which his exhausted appearance would prove, and that when he met the servant with the letter, he was then coming to her. The explanation was received, and the following morning, at nine o'clock, was fixed for the marriage-ceremony to take place. The night passed over anxiously enough on the part of Miss Foote. At length the morning arrived; everything was prepared; the bride's maid was in attendance, as was also Mr Gill, with the marriage-settlement; Mr Robins, the trustee, was also there; but—would the Jury believe it?—Mr Hayne never made his appearance, never took any notice of the appointment, never sent any excuse. The parties waited until three o'clock, when a note was sent to him at Long's Hotel; the servant who took it was asked into a private room, he was there detained, under some pretence or another, for a considerable time, and was then informed that Mr Hayne had gone into the country. Having got into the country, he (the Attorney-General) would have thought that Mr Hayne would have had leisure to reflect on his conduct, that the least he would have done would have been to offer some apology, to give some explanation to her he had so cruelly wronged. But, no; nothing of the sort took place! For six long days did this young lady wait in anxious expectation of receiving some communication from Mr Hayne, but she received none. At length, on the sixth day, she addressed to him a letter, to which he would call the particular attention of the Jury, because it described the feelings of Miss Foote in a much more forcible manner than he (the Attorney-General) could possibly describe them. Miss Foote knew how such conduct would be bruited abroad; she felt the severity of the



blow thus inflicted upon her, and wrote him at the expiration in those terms:—"My dear Hayne, for six long days and tedious nights have I been in hourly expectation that you would have redeemed the promise which you solemnly made me." The letter then went on to say, that she was at a loss to account for his extraordinary conduct; "but," said the letter, "I have still such faith in your honour, that I cannot bring myself to think but that your present conduct is not your own will, but the result of the power and influence which others have over you, and that although separated from me, your heart and thoughts are still with me; pray judge for yourself! Gracious God! can my dearest Hayne, be actuated and governed by the restraint of others? Remember, it was at your desire that our intended nuptials were announced in all the papers—recollect also your parting words when last I saw you—remember those words were, 'May God strike me dead, if ever I consent to separate myself from you!'" After some other remarks, the letter concludes thus:—"Farewell, my dear Hayne, and believe in the affection of your faithful attached Maria." In reply, Miss Foote received from Mr Hayne a letter:—"My dearest Maria, you are perfectly correct when you say that my heart and thoughts are still with you." It then stated, that the world is a censorious one; that he was divided between love for her and esteem for his friends; it then went on to state his regret that their "unlucky stars had thrown them together," as if he was not the person who had so eagerly sought Miss Foote; and this strange letter concluded by stating, "I am resolved to sacrifice friends to affection; I cannot, will not lose you."—After a short interval Mr Hayne returned to London, and called on Miss Foote in Keppel-street;

they became perfectly reconciled to each other, and the 28th of September was finally fixed for the day of their marriage. This fell on the Tuesday, and Monday was fixed for the execution of the marriage-settlement. On Saturday Mr Hayne, accompanied by Miss Foote's father, went to Doctors' Commons, and there procured the marriage licence, which Mr Hayne himself delivered into the hands of Miss Foote, and solicited leave to wait on her the following morning. Instead of doing so, a gentleman of the name of Manning called at the house of Mr Foote, and brought a letter with him from Mr Hayne to that gentleman, which letter stated that he was so wretched as to be unable to call himself, but the bearer would explain everything, and finally concluded by entirely breaking off the match. Thus, then, (continued the Attorney-General,) a second time did this gentleman think fit to turn round upon this young lady, and expose her to the scorn and derision of the world; and could he (the Attorney-General) make use of language strong enough to denounce the conduct of that man, who had thus cruelly trifled with the feelings of an unfortunate female? The conduct of such a person was as unmanly as it was cruel and oppressive. Miss Foote wrote again to Mr Hayne, in which she stated that his conduct towards her was as mysterious as it was cruel and unjust. After this, Miss Foote received from Mr Hayne another letter, in which he still addressed her as "My dear Maria—We know each other well; but with all my faults, you have a regard for my honour; my attachment for you is unabated. I entreat of you to grant me an interview at any other place than Keppel-street." To this letter Miss Foote replied, "Good God! is this the way of proving your love and regard for me?—To my honour and

your shame be it spoken, that I am now suffering under a painful illness, brought on entirely by your conduct; but that you are actuated by the advice of bad counsels I have no doubt. I will, however, once more consent to see you, but it must be in the presence of my family; if I am well enough on Saturday, one o'clock will be convenient to me to grant you an interview." In reply, Mr Hayne writes a letter to Miss Foote, in which he says, that every line of the last letter of Miss Foote's, was couched in terms of inveterate hatred, and it concludes thus: "Farewell, for ever farewell—Hayne." By what possible construction Mr Hayne could say that this letter was couched in terms of inveterate hatred, he (the Attorney General) knew not; he would submit it to the strict criticism of his learned friend, Mr Scarlett, and he was sure he would say, that under all the circumstances, a more kind letter could not be written by a party so injured as Miss Foote had been. This last letter closed the correspondence between the parties; but what he had now related was not the whole of Mr Hayne's conduct; Mr Hayne knew that the manner in which he had conducted himself had excited public odium against him, and he, therefore, in order to excuse himself, endeavoured to make the world believe that he had been misled and deceived by Miss Foote and her family—that the promise of marriage had been made by him in ignorance of Miss Foote's connexion with Colonel Berkeley, an assertion which was wholly incorrect. He had himself published a letter in the daily papers, alleging this as a reason for his conduct, and justifying it by that pretence; but he would prove to the Jury that Mr Hayne had a letter from Miss Foote, releasing him from any promise or engagement made by him previous to the disclosure of the fact of her ha-

ving had children by Colonel Berkeley. The letter sent to different newspapers deserved the especial attention of the Jury, as marking the veracity and honour of Mr Hayne, and was in the following terms:—

"It never was my intention to have troubled the public with any circumstances which have taken place between Miss Foote and myself, had I not felt something was due to truth, in the contradiction of those paragraphs, which made it necessary my attorney should do, in your columns of Saturday. There I had hoped the matter would have rested, until the action Miss Foote has thought proper to commence developed everything; but the notice taken of it in your paper, compels me, reluctantly, to put the public in possession of facts which, I think, will justify my conduct, intending to leave my powers of contradicting such statements to the proper time and place. Delicacy to the lady would almost silence me, did I not feel and know it is so little attended to by, or heeded on her part.

"But to the point.—I was not aware, when I made a proposal to Miss Foote, that she had ever been under the protection of Colonel Berkeley, her father and mother having always upheld (and I believed) her to be a paragon of virtue; and had not Colonel Berkeley, in the latter end of June last, in the presence of James Maxse, Esquire, (as the Colonel's friend,) and Thomas Best, Esquire, (as my friend,) owned her having had children by him, the youngest then not a month old, I should have been in ignorance of the facts, until too late to retrieve my happiness. If I were to make every other circumstance public at this moment, I should not only be anticipating the defence I have to make at the approaching trial, but might rather increase the anxiety, than relieve the minds, of Miss

Foote's friends.' My withers are unruled. Now a word for Mr Foote, who, under the plea of purchasing a paymastership, borrowed the sum of 1150*l.* from me. May I ask (if he is in this country) to what purpose it has been appropriated, being given to understand, that the fear of being called upon to return it has induced him to make a continental tour? The mention of the above facts, '*out of the many,*' will, I trust, induce the public to suspend their further opinion until the appeal made to the Court of King's Bench is decided. And in thus intruding upon their notice, I cannot but congratulate myself at my escape."

This article, however, principally referred to the first promise, from which Miss Foote absolutely released him; but he had nothing to say after he had renewed his proposals. There was, however, one fact which spoke volumes, and evidently shewed that Mr Hayne never had the least intention of marrying Miss Foote: for on the 3d of September, two days previous to the first appointment for the marriage taking place, Mr Hayne's solicitor called on his counsel, Mr Scarlett, and actually retained him as counsel in anticipation of this cause; here then was a proof of conduct so infamous on the part of Mr Hayne, that no term of reproach was strong enough to designate it. The learned counsel now proceeded to relate the circumstance of an advance of 1150*l.* by Mr Hayne to the father of Miss Foote, for the purpose of purchasing a paymastership; the money was not so appropriated, and when this cause was commenced, Mr Hayne having threatened to sell his estates and go abroad, Mr Foote had certainly very unadvisedly given notice to the party holding the money to retain it, until the decision of this cause. With this circumstance, however, Miss Foote

was totally unacquainted, and therefore it was not to be used to-day to her prejudice. He had, he believed, now called their attention to every circumstance to which it was necessary for him to allude. It was right, however, for him here to say, that during the correspondence which passed between the parties, Miss Foote had certainly received several presents from Mr Hayne, amounting in value altogether to nearly 1000*l.*; they were, however, unsolicited by her, and she rather checked than encouraged Mr Hayne in making them. Now, as to the question of damages, Miss Foote, at the earnest solicitation of Mr Hayne, had given up her engagement at Covent-Garden Theatre, which was certainly a very valuable one. She had sold her theatrical wardrobe, and she had, at his suggestion, ordered a carriage, which she would not otherwise have done. But he did not call upon the Jury to give damages in respect of these accounts, but he asked them to give her a compensation for the loss she had sustained by not becoming the wife of Mr Hayne. In the first place, then, there was the station and rank in society which that circumstance would have given her; there was the 20,000*l.* which, under the term of the settlement, would have become her absolute property, in the event of Mr Hayne dying in her lifetime without issue. Now the damages laid in the declaration were 10,000*l.*; the question then was, would Miss Foote have released Mr Hayne from his promise to marry for 10,000*l.*? Certainly not, nor for three times 10,000*l.*; then she was fully entitled to recover to-day the whole damages laid in the declaration, and he now sat down firmly convinced, that by the verdict to-day she would recover the whole amount she claimed. Besides all this, Miss Foote had been held up

to the public curiosity—to no small portion of obloquy ; and as men of sense had to deal with the cause, he had no doubt of the result.

A variety of witnesses were examined on the part of the prosecution. Mr Scarlett, on the part of the defendant, said, that in this case he had great public prejudice to contend with, and a very celebrated actress also. Miss Foote kept copies of all her letters; not so this extravagant young man, who had neither copy nor memory of what he wrote, which might have been now of great assistance to him. His learned friend, in opening this case, had many advantages; he had managed the case with great policy, but he (Mr Scarlett) doubted, if, with all his talent, his client would not produce a greater effect upon the passions and feelings of the Jury. Such was the power of beauty and accomplishments—and such was the power possessed by Miss Foote, that public prejudice was against his (Mr Scarlett's) client; and that public prejudice, raised and continued by that lady's friends, they still farther thought to propagate. The Jury could not have failed remarking, in the address of his learned friend, how much he dwelt upon the conduct of a certain individual, and with what an air of vehemence and indignation he noticed the conduct of Colonel Berkeley. For the first hour of his learned friend's address, he (Mr Scarlett) scarcely knew whether he was counsel for Colonel Berkeley or Mr Hayne; for though Mr Hayne closed the charge, all the way was prepared by the seduction of Colonel Berkeley. The object of that could not be mistaken. This, it would be said, was a fair creature doubly abused; and mark the result—that Mr Hayne was to pay the penalty of both. Another topic he must advert to; and that was, that his learned

friend almost eulogized as virtues, or sought to excite compassion for as venial, errors which, in courts of justice, at all events, were considered worthy of the highest reprobation. His learned friend had glossed over the course of life, which every father, and every mother, and every respectable man in society, was bound, by his obligations to that society, to characterize as immoral. Having stated so much, it would be his duty to examine the evidence already submitted, to their notice, and then to lay before them other evidence necessary to the defence of his client. He hoped that when the Jury came to estimate the damages, they would not estimate them according to the folly and ignorance of the young man who was the defendant in this case, but according to the claims of the lady who was plaintiff; and then they would not allow her popularity as an actress to weigh on their minds, so as to induce them to give one farthing more damages to her than to any other who came before a court of justice under different circumstances. The young man for whom he (Mr Scarlett) appeared, very recently became of age. In the year 1823, he had the good fortune to become acquainted with Mr Foote, whom he invited to his house in Staffordshire. This led to an introduction to his daughter, which gave birth to an attachment, and ended in an offer of marriage from Mr Hayne to Miss Foote. At that time the lady was with child by another man. She afterward went to that person's house, and remained there some time, taking her father and her mother with her. Then, as her appearance must betray her indiscretion, in the month of March a journey to the country was proposed, and in the country she was delivered of a child. On the 28th of June she returned, and another promise of marriage was

made, in the presence of the good mother of the lady. Soon afterwards, however, a complete discovery took place, and Mr Hayne, who could no longer remain in ignorance, flew away to the country to take his own measures. The lady, it was well known, was older than the gentleman; she had had ten years' practice, at Covent-Garden Theatre, and four years' previously at Plymouth. She had also borne two children, and it, therefore, could not be imagined that she was inexperienced in the ways of society, or in the arts of it. Mr Hayne had never been aware of the lady's visit to Barnard Castle, or to Tunbridge; it was true, however, that he had been informed of certain transactions, relative to Colonel Berkeley. But during her absence from town, her father had told him that she was afflicted with a pulmonary complaint, and that as her physicians had considered that the smell of the gas, and the labour of her profession at Covent-Garden Theatre, was too much for her health, a trip to the country was considered absolutely necessary. Several other letters were written by the father, some informing Mr Hayne that she was better, and some that she was worse, but all tending to convince the defendant that her illness was of a pulmonary nature. The learned counsel then proceeded to read passages from several letters to which he had referred.

**The Attorney-General.**—I suppose my learned friend means to prove that those letters were written with the knowledge and consent of my client; otherwise they cannot go as evidence to the Jury.

**Mr Scarlett.**—My learned friend has put in several letters from Mr Hayne; he certainly cannot mean to object to hear the answers read.

**The Attorney-General.**—Every letter written by Mr Hayne may be

evidence against him; but this cannot be the case with the letters referred to by the learned counsel, unless he can prove they were written with the knowledge of the plaintiff.

**Mr Scarlett.**—I mean to shew that a system of fraud was pursued by the whole family; and that it was meant that the plaintiff should profit by the deceit.

The Lord Chief-Justice said, that the letters to a certain extent might be admitted in evidence.

Mr Scarlett then proceeded. Why, he would ask, had not the father been introduced to the Court on this occasion? Was it because his learned friend knew it would have been an injury? Was his learned friend aware that the counsel of the defendant would have put questions to the father that he did not choose to do to the mother? It had not been thought fit to put that father into the witness-box, to expose him to the danger of a cross-examination. Mr Scarlett would proceed to read some of the letters he had referred to. One of them, from Mr Foote to Mr Hayne, concluded thus:—"You will have a wife the most prudent, the most amiable, and the best in the world, or I know nothing of my daughter." This was written by the father, who had taken his daughter by the hand to Barnard Castle, who knew of the doings there, and who knew that she had had two children by Colonel Berkeley. It had been already in evidence, and his learned friend the Attorney-General had admitted it, that Mr Foote had received 1150*l.* from Mr Hayne, to purchase the paymastership of a regiment; this was the great argument in the father's eyes in favour of the connexion, and of course it was to be considered by Mr Hayne that the kinder he was to the father the more he would be loved by the daughter. After the return of

Miss Foote to town, Mr Scarlett would ask the Jury if they believed it was her intention to have told Mr Hayne of the recent intimacy with Colonel Berkeley? The mother in her evidence had said it was; but he (Mr Scarlett) did not believe it, or if he did so believe it, it was only that she would do it when the young man was so fascinated, that, like the animals who are fascinated by the snake, he could not help falling into her snare. Another letter to which he would refer, was from the lady to Mr Hayne; in this she says that she is sure he must have heard somethings against her; and she then says that she shall always thank him for his generous conduct towards her. Now, what was this generous conduct? It could have been meant to allude to nothing but a few trifling presents, unless the father and the mother had shared it. The letter concludes by wishing for an interview; she well knew the effects of an interview; she had often tried it, and she expected that her victim would be lost beyond redemption. It was natural to expect, that, from the profession of Miss Foote, she was well skilled in all that relates to passion; and in requesting an interview, she had given another proof of her knowledge of mankind. Every one was aware of the influence of a woman over the object she wishes to seduce. Mr Scarlett was sure that every prudent man would avoid what the strongest could not sustain. He believed that his honourable friend, the Attorney-General, with greater age, caution, and experience, than the plaintiff, would have been staggered, if he had been exposed to such a temptation; and if he had done him the honour to consult him, if he had been so exposed, he would remind his learned friend of a story related by a poet, whom he well knew. It occurred in the

Odyssey of Homer, where Ulysses is described as wandering over the seas, a faithful husband of a beloved and virtuous wife. What did he do when he came to the island where the Sirens dwelt? He dreaded the effect that their voices, and still more their faces, might have upon him, and he ordered that himself and his companions should be bound to the mast, that they might look away from the shore, and not see the objects that might seduce them. Mr Scarlett did not in the least doubt but that Miss Foote conceived her only chance of honour and of gain depended upon the use she should make of her fascinations during this interview, and was, therefore, deeply anxious to try an experiment that had succeeded so often. She wrote in such a manner as to make the young man believe that the primary object of her life was her attachment to him; that he had made her feel for him the strongest passion a woman could feel. Notwithstanding her previous condition, from her intimacy with Colonel Berkeley, she endeavoured to make this youth believe that he had inspired with an ardent devotion one of the finest women of the age. Well, she went down to Marlborough, and he accepted her invitation to follow her. Then all her witchery was renewed, and then she worked so much upon his feelings, calling upon him to pity her, that the effect might be easily conceived. All this was done to keep alive the flame; and then afterwards she chose to try an experiment, and drop the correspondence for a week. This drew forth a complaint from him; and, when he returned to town, he was informed by the mother that the affair with Colonel Berkeley was settled, and he must no longer visit her daughter. He then saw that he could no longer visit her on equivocal

terms; and, as they speculated, it only made him become more ardent, and a promise of marriage was again made. In this case, Mr Scarlett could say nothing in commendation of Mr Hayne, nothing in excuse of the man who says, "I will marry you to-morrow," and with the morrow does not come; but it should be remembered that he was the victim of a violent passion, and that he could only reflect and think seriously on what he was doing, in the absence of the woman who had such powerful influence over him. He was a young and an ignorant young man, who had but just come of age; but she was a woman much older, who had had much experience, had borne two children, and who well knew of what stuff man was made. If Miss Foote had argued as she ought to have done, she should have said, "here is a young man about to take a step that will alienate for ever from him his mother and his sister. I pity him and I pity them;" I feel for his unhappy passion, and, notwithstanding he has made me a promise of marriage, I ought in generosity to return it to him and go back to the theatre that is open to receive me; I can live in splendour, and as the circumstances relative to Colonel Berkeley are well known, I cannot be injured with the public as a public servant; I will not then advise him to sacrifice his character and his honour, because he has been attached to me. What do I lose by losing him?" If she had had a right to demand damages, she ought to have said originally, "make known your intentions to your mother and sister, and let them call on me." No such proposition was ever made; no such feelings were ever cherished. She was nothing more than an actress, and one of tainted character in private life, but she saw before her a man who had money, and her family

also saw him. She had no idea of happiness or rank; all she sought for in the connexion was pecuniary advantage. If a young woman had appeared before a court of justice who could say, "I have been the victim of seduction; I have been ruined; I have been led from virtuous connexions, and my whole life must be affected by another's crime," then indeed the Jury might be asked for liberal damages, and then it would be a difficult thing to address them in mitigation. But if the Jury were of opinion, that, from the very outset of this business, the whole object of Miss Foote was pecuniary advantage; that she had no hope nor prospect of happiness; then in how different a light did she stand before them! If they believed that it was her wish and the wish of her family to impose on a young man, who did not know the value of money, who was placed without a single friend to advise him, and who afterwards knew that shame and misery would follow an act that he was weak and foolish enough to contemplate; then what damages did the plaintiff deserve? Unless the Jury could think that a woman with a tainted character could deserve all the warm feelings his learned friend, the Attorney-General, had endeavoured to create, the damages the Jury would give could scarcely be too small. His learned friend had said, that he did not ask damages from feeling, but as a compensation for the loss of rank the lady would have held as the wife of Mr Hayne. It is for this that she demands damages from a Jury; but the Jury should inquire what loss she had sustained. Would she have valued the situation in which he would have placed her, knowing that she had made him miserable, after the first gratification of those passions of which he had been the victim? Is it justice to virtue to conceive that he

could have loved her afterwards? No; but she only said to herself, "I will keep him by me, until I know what bargain I can make with Colonel Berkeley." The bond has been read to the Court, by which she gave up her children to Colonel Berkeley: for this she might not be blamed, but in that bond she does not stipulate that she shall ever be allowed to see her children again; and this was the conduct of a mother, the mother of an infant child! He (Mr Scarlett) did not know what might be the sentiments of his learned friend on this subject, but, for himself, he would say, that if he had been so degraded as to form such a connexion with such a woman, the moment he found that she was so completely without the common feelings of nature, as to give up her children without the right of ever seeing them again, he would instantly have left her. It should be recollected that Miss Foote commenced early to study those characters, and those subjects, that were calculated to debase the mind; for even in the part of *Juliet* there was much that a modest woman should not read; and how greatly did such an education tend to deprive her of virtuous feelings! He begged the Jury to view the case as it really was—that of a young woman who had been the mistress of another, becoming acquainted with a young man, and keeping him by her until that other had decided what he should do with her. It was clear that she had kept copies of the letters she had written to Mr Hayne, and the circumstance argued strongly that she had reasoned thus—"The young man will marry me and make a good settlement, or else I will go to the Attorney-General or some other able lawyer, and he will get damages for me." The conduct of the young man was different; he had kept no copies of those letters that were

written in the confidence of a misplaced love. The Jury could not conceive that if they had been married they would have lived together six months; even her mother would not swear that she expected it; then if a large settlement had been made, a large separate maintenance would have been a matter of course. The Jury must be convinced that the only object of the lady was, if she could not make matrimony of it, at least to make of it a matter o' money, that she might have one leg, as the father had had the other. Could a court of justice then lend itself to encourage such a motive? It was necessary for the Jury, in their consideration of the case, to forget that the plaintiff was a favourite actress. They might be assured that her popularity would not be affected by their verdict, and they might depend on it that the next benefit of Miss Foote, at either of the theatres, would be more productive than it ever had been. After having had with her father nearly 2000*l.* of Mr Hayne's money, she only came to a Jury to ask them for twenty or thirty thousand more. Miss Foote, it should be recollected, had brought herself into this scrape, and it was hard, if Colonel Berkeley had done her any wrong, to make Mr Hayne pay for it. What excuse could she and her father have for not bringing an action against Colonel Berkeley, who had invited her to Barnard Castle, had there seduced her, and had a child by her, under promise, it was said, that he would marry when he was restored to the peerage? He (Mr Scarlett) would ask the Jury, if they believed that any such promise had been made by Colonel Berkeley? If so, the natural way would have been to bring an action against him, and not against this young man, who, with all his fortune, might be called unfortunate. It was his mother and



his sister who prevented him from marrying Miss Foote ; for, had he been suffered, he would have listened only to the dictates of passion, and would have married her. He (Mr Scarlett) thought that Miss Foote was fortunate, if her whole object was not money, in having thus escaped a match which would have rendered both miserable. He entreated the Jury to consider this cause as one of pounds, shillings, and pence, for such it really was. Mr Hayne had done her no injury. In one letter to her, he says, "I never injured you." No ! She passed by the man who had injured her, and fixed on him. He (Mr Scarlett) felt assured, that, on a mature consideration of the case, the Jury would award her very little damages indeed.

Witnesses were called on the part of the defendant, and the Attorney-General replied.

The Lord Chief-Justice recapitulated the evidence, and charged the Jury. He observed, that although a woman could not be considered in a court of justice as prevented from forming a matrimonial engagement, because she had children by another man, it should be recollected that such a person could not be placed precisely in the same light as a person of sustained character. The Jury, however, would consider the evidence that had been brought before them, and the speeches of the learned counsel on both sides ; but whatever they might give in the way of damages, should be done with temper and moderation.

At a few minutes after eight o'clock the Jury retired, and after an absence of about a quarter of an hour, returned with a verdict for the plaintiff. Damages, 3000/.

## No. III.

## GENERAL CHRONICLE ;

OR,

## RECORD OF MISCELLANEOUS OCCURRENCES.

## JANUARY.

Hertford, Thursday.

8.—As soon as the arrangements for Thurtell's final confinement were made, the chaplain of the jail waited upon him. Thurtell, struck by the presence of this gentleman, whose appearance (as he uniformly expressed it) consoled him, burst into tears, and, for the first time since his imprisonment, manifested the warmest and most agitated sense of his horrible condition. The chaplain, as we understood, expressed the gratification he felt at finding this happy change in Thurtell's demeanour, and impressed in the strongest manner the necessity of his availing himself of the few hours which remained to him, to offer up his contrition and prayer for mercy where alone he could now expect it. Thurtell instantly, with his eyes suffused in

tears, declared that his contrition was sincere, that he forgave the world, and implored the merciful forgiveness of God. His manner was fervid and impassioned, but at the same time free from any whining affectation of penitence, or tremulous apprehension at the near prospect of the new scene into which he was about to pass. His declaration of contrition was at once manly and resigned ; and his manner so unaffected and solemn, that it was calculated to inspire very great interest in his fate, notwithstanding the dreadful circumstances of his now established and admitted crime. He said, that death to him, after the misery of his late mode of life, was a relief, and that he could go forth with the firmness of a Christian to his fate ; but he added that domestic recollections—the anguish of the surviving members of his family, and particularly of a mother and sister, whose instructions and society would, if adhered to, have

made that life respectable which would only now be remembered with shame—these were, he said, the reflections which overwhelmed him with grief and sorrow. He was ready to resign himself to any preparation for his fate, and more particularly with a gentleman who had never approached him, as others had done by letters, to tamper with his feelings, but to compose and assuage his affliction. The attendants were struck with the altered manner of the prisoner, and more affected almost than he was himself. He became calmer after his interview with the chaplain, and his firmness subsided into a decent resignation; he repeated his readiness to meet his fate as soon as possible, hoped for the forgiveness of his family, and the oblivion of his offences.

Thomas Thurtell had an interview with his brother yesterday evening, they were both greatly affected. Thomas Thurtell will be sent back to London to-morrow.

At half past eight o'clock the Rev. Mr Franklin came to the prison, and the several prisoners were removed to the chapel. Thurtell and Hunt were brought from their respective places of confinement, and in walking across the yard, they accidentally met each other. Hunt suddenly stopped on perceiving Thurtell, but the latter slightly inclined his head, and passed on. They were then conducted to the chapel. Thurtell was still hand-cuffed, and watched and guarded by the four individuals who are strictly enjoined to observe his movements. The Rev. Mr Franklin entered the chapel at nine o'clock, accompanied by the Rev. Mr Owen, (the sheriff's son-in-law,) several magistrates, and the jailors. No other persons were admitted. The reverend gentlemen proceeded to read prayers, and afterwards preached an impressive sermon from 2 Cor. v. 10. At the close of the sermon, and during

several parts of it, Thurtell was deeply affected, and shed tears; and the face of the reverend clergyman was also suffused in tears.

Last night the Old Bailey executioner arrived in Hertford, preparatory to the execution of the sentence passed upon the prisoners.

At ten o'clock this morning, Probert, having been informed that he was at liberty to depart, left Hertford jail, in which he slept on the preceding night. As he was about to quit the jail, one of the turnkeys, of whom he had borrowed two or three shillings, stopped him, and insisted on being paid; but it was not without hesitation that he discharged the debt. Before Probert had proceeded far from the jail, he met his wife, Miss Noyes, and Thomas Noyes. Their recognition of each other was cold; and after conversing for a few minutes, Probert left the party, and proceeded in an opposite direction to that which they took. He was afterwards seen walking round the town with a man of respectable appearance. He himself was well dressed, and walked with a swaggering air. He was not, as far as we could perceive, recognized by the inhabitants. —Probert and his wife left town this evening in a post-chaise, with the blinds up. The Rev. Mr Lloyd is said to have defrayed the expense of the post-chaise which conveyed him away.

Hunt's execution has been fixed for this day fortnight, if the application to the Crown in behalf of the prisoner should not prove successful. Fourteen days are, we understand, allowed by law, to accessories in cases of murder; and, therefore, the High Sheriff has named the day which we have mentioned. Hunt is not aware of this circumstance. He believes his fate is to be sealed in the morning, and he is preparing for death, but in a state of great agony and exhaustion. The contrast between Hunt and Thurtell is

extreme. The latter is cool, manly, and firm, without any intermixture of thoughtlessness or levity ; the former is timid, whining, and pusillanimous.

Hertford, Friday, ten o'clock.

At a very early hour in the morning the crowd began to pour in from all quarters, on horse and foot, and in every description of vehicle that could be put in motion. Not a few of those who are called "*the fancy*" appeared in the throng. The cause of their coming so very early was, a persuasion that the execution would take place at eight o'clock. This belief was so strong, that when they arrived at the jail, and saw the drop in an incomplete state, they could hardly be persuaded that the criminal was not to suffer till noon.

Thurtell is said to have passed a good night. Having expressed a mutual desire to that effect, he and Hunt were allowed to be together a part of the night, and they conversed a good deal upon their own melancholy situation, and on the past conduct of themselves and associates.—Thurtell yesterday asked one of the men, who was on guard over him, whether he had ever seen a man hanged, and how long he suffered. The man answered, not above a minute. "Oh, I shall not mind that, then," said the prisoner ; "but I wish they would tie two half hundred weights to my legs."

By twelve o'clock the numbers which had assembled baffled all attempts at computation. They were estimated by some at between twenty and thirty thousand. As the hour approached, the turbulence which had hitherto distinguished the multitude, was succeeded by an awful stillness. A sudden movement of the javelin-men, ~~whose spears~~, appeared above the top of a wooden enclosure in which the drop was placed, fixed the attention of all present. Expectation was, however, disappointed for a time, as the criminal

did not make his appearance for ten minutes beyond the appointed hour.

### *The Execution.*

At ten minutes past twelve, the Under Sheriff, Mr Nicolson, mounted the ladder, and took his place on the scaffold ; after him came the convict, Thurtell, followed by the hangman, with the cord in his hand ; after whom came the turnkey, and Mr Wilson the jailor. Thurtell ascended the scaffold with a firm step, and without betraying the slightest emotion. Whilst the executioner was making the necessary preparations, he contemplated the multitude with an air of total unconcern. To one person within the railing whom he recognized, (Mr Pierce Egan, we understand,) he bowed, but beyond this, seemed to take no notice whatever of the scene before him. His coolness and composure, up to the last moment, were the wonder of all present. He was not attended by any clergyman on the scaffold, but we understand he received very pious attention from Mr Franklin, within the walls of the prison. His dress was similar to that which he wore on his trial, covered with a brown great-coat. His neck-cloth was tied, and his coat buttoned to the top. He also wore a black hat. In proceeding to divest him of that attire, which impeded the ceremony of the hangman, his hat was first taken off, his throat laid bare, and the deadly noose put over his head and tightened, the knot coming just under his chin. During the whole of this operation he maintained his composure, rather lending himself to the movements of his executioner. His manner was easy and natural, nor was there anything in his countenance or conduct which could shew that he was sensible of his awful situation beyond the solemnity which was expressed in his face, and the coldness which seemed to pervade his frame. Before the cap

was drawn over his eyes, the turnkey came forward and put out his hand, which Thurtell readily took, and shook with an appearance of warmth. The cap, which was white cotton, of thin texture, was pulled over his face ; still no motion was visible. He kept his eyes open, but without seeming to take any interest in what was before him. While the rope was being fastened to the cross-beam, he looked up at it, and seemed to busy himself in the fatal arrangements. He looked upon death, and still was undismayed. He addressed several observations to the hangman, relative to the thickness of the rope and length of drop which he was to give him. He did not think, he said, there was enough of drop. Jack Ketch assured him he would find it all right, that there was sufficient length. Everything requisite having been done, he was placed on that part of the platform which constitutes the drop. Mr Wilson then came forward, and, pressing his hands with fervour, said, " God Almighty bless you !"—to which the unhappy man answered in the same words. The fatal signal was then given, and at exactly a quarter past twelve the criminal was launched from his mortal state into eternity.

He did not long suffer, his exit being marked by only a few convulsive motions of the hands. The hangman shifted his position quickly to the place beneath the drop, where he remained pulling at the legs of his victim whilst there appeared a chance of life remaining.

It is said he persisted to the end to refuse any confession, beyond what he should make, he said, to God !

After hanging the usual time, the body was cut down and delivered for dissection pursuant to the sentence.

We cannot conclude this account of the execution of Thurtell without doing full justice to the courage with which he met the fate which the of-

fended laws of his country assigned to him on account of the atrocious crime of which he was convicted. In no part of his behaviour on the scaffold was there anything like either irresolution or bravado. Dying, however, as he has died, for a murder of the greatest atrocity, established by evidence of the most satisfactory description, we must guard against allowing our admiration of his fortitude to overcome our moral abhorrence of the barbarities he committed. It is evident that he was a man of uncommon energy of mind, and the sympathy of his jail-attendants, men unused to melt, shews that he must have possessed some amiable qualities. All therefore must regret that such a man should have suffered his nature to become gradually depraved into the possibility of perpetrating deliberate murder.

#### *Effects of the Deceased.*

Upon these occasions, the clothes of the deceased usually become the requisite of the executioner. In this instance, however, the Under Sheriff departed from that practice, and directed that the clothes of Thurtell should be sent to his brother, and that a compensation in money should be given to the executioner. It will be recollected, that, on searching the lodgings of the deceased, after his arrest, an air-gun was found by, and now remains in the possession of, Upson, the Bow-street officer. Thurtell, on the evening before his death, sent as his last request to the High-Sheriff, that this gun should be given to Mr Wilson, senior, as the only token of gratitude which he had in his power to bestow for the many favours conferred upon him by that gentleman, during his confinement. On the Thursday night, when Mr Wilson, junior, was taking his leave of Thurtell, he begged to be favoured with a lock of his hair. Thurtell

smiled, and readily assented, observing, that he was sorry to say that was the only property now in his possession; suddenly recollecting himself, however, he said, "Oh, yes, I have got a snuff-box, a plain one certainly, but I hope you will accept it for my sake." Mr Wilson accepted the box, and left the room, deeply affected.

It was stated in the course of the day, that Hunt, upon hearing of the manner in which Thurtell had met his fate, observed, that severe as it was, he richly deserved it. It was Probert's intention to have witnessed the execution of his associate in crime, had he not been advised by the magistrates to leave the town on Thursday.

#### GREAT FIGHT FOR THE CHAMPIONSHIP BETWIXT SPRING AND LANGAN.

This fight, on which so many thousands were depending, took place on Worcester race-course. The ground being flooded, great exertions were made to drain it, and an extensive amphitheatre was erected, in front of, and in connexion with, the stand; and temporary scaffolds were also erected. Upwards of 30,000 persons were present, of all classes, from the highest to the lowest; and every eminence, and even the masts of the vessels in the river, were covered with anxious spectators. Spring arrived on the ground about half past twelve, in Colonel Berkeley's carriage, attended by Cribb and Painter; Langan did not arrive till near an hour after; he was seconded by Josh Hudson and Tom Reynolds.—On stripping, Spring appeared much the taller and more powerful man. Seventy-seven rounds were fought, in two hours and twenty-nine minutes; when Langan was unable to come to time, and Spring, of course, was proclaimed the winner. When Langan recovered, he would have renewed the battle. On leaving

the ground, both parties were loudly cheered.—The time was kept by Lord Deerhurst, and a sporting baronet, and Colonel Berkeley was the umpire.—The battle was for 300*l.* a-side.

We lament to state, that not fewer than one hundred persons were injured during the fight, by the falling of the temporary hustings on the race course, and that two are dead, and seventeen in Worcester Infirmary, with broken limbs, &c. and others at different inns and public-houses.

Paris, Jan. 10.

Two messengers have brought the news of the death of Victor Emanuel, King of Sardinia. The Prince of Carignan, in consequence of this event, could not be present at a brilliant *fête* which was offered to him by one of the generals of the army of Spain, and at which a great number of the generals of that army were present. Victor Emanuel I., King of Sardinia, was born in 1754. Till 1802, he bore the title of Duke of Aosta, when Charles Emanuel (his brother) abdicated the crown in his favour. It was in the person of Victor Emanuel, therefore, that the restoration of the monarchy of Sardinia took place in 1814. This Prince enjoyed peaceably the love of his people till the revolution of Piedmont happened. Resolved to yield thing to the rebels, he preferred abdicating, and transferred all his rights to his now reigning brother, Charles Emanuel. Victor Emanuel had two sisters, who married the august brothers of Louis XVI., and one of whom gave birth to the Duke of Angoulême. This sovereign has left four princesses, the issue of his marriage with an Archduchess of Austria. The second has married the Infant, Don Louis, of Bourbon, hereditary Prince of Lucca.

—In consequence of his Majesty having had an attack of the gout, the

following bulletins have been published:—

The King has had a severe attack of the gout, but his Majesty is better to-day than he was yesterday.

Monday, Jan. 26, 1824.

His Majesty has had a more favourable night, and is better to-day.

Tuesday, Jan. 27, 1824.

The King has had a favourable night, and is considered better to-day.

Wednesday, Jan. 28, 1824.

His Majesty has again had a good night, and is better than yesterday.

Thursday, Jan. 29.

His Majesty has had an excellent night, and is much better to-day.

Friday, Jan. 30.

His Majesty will not be able to open the Parliament in person, on Tuesday next. We regret to add, which we do upon good authority, that his late attack of the gout was one of the most severe that his Majesty has experienced for a long time. It has, indeed, considerably abated, and the accounts on Thursday were extremely favourable; but it has left his Majesty's health in a state which renders it quite impossible for him to attempt the fatigue of a journey, and afterwards to go through the ceremony of opening Parliament in person.

#### CAPE OF GOOD HOPE.

The following is an extract of a letter from a gentleman of the first respectability, dated Graham's Town, Cape of Good Hope, October 21, 1823.

"A calamity of the most afflicting nature, both in its detail and consequences, has just befallen this settlement. A flood, the result of ten days' incessant rain, has desolated the face of cultivation, and blasted all the prospects of industry for a long time to come. Indeed so extensive is the ruin, that it will be utterly impossible for the colonists to retrieve themselves

without assistance from the country, and the adoption of the most lenient and indulgent measures by the colonial government.

"There is scarcely a habitation left tenable throughout the district of Albany; all are more or less damaged, many irreparably so, and a considerable number destroyed altogether; those situated on low alluvial soils were exposed to the overwhelming rush of a torrent unparalleled in the recollection of the oldest inhabitant, which even extended to dwellings supposed to be remote from the possibility of such a visitation. Houses on elevated situations, though exempt from this casualty, became saturated with wet, and as they were chiefly built of bricks laid in clay, the walls proved too feeble to support their superstructures; these, day after day, were seen crumbling into ruins, while the wretched inhabitants, drenched with rain, were employed propping up the walls, or rescuing their goods from impending destruction.

"The whole extent of tillage in the district is more or less damaged—highly cultivated enclosures have had the whole of their upper soil swept entirely from the surface, while the force of the waters has left large gullies and chasms throughout them. Banks and fences of every description are prostrate. The gardens planted on the banks of rivers for convenient access to water, have universally suffered, many are totally destroyed, and the fruit trees violently torn up and carried away by the flood; in short, the whole occupied and cultivated face of the district presents a frightful picture of desolation and defeated industry.

"In addition to this awful visitation of Providence, the rust has again attacked the corn, making our fourth season of fruitless and abortive tillage, while the Caffres, in uninterrupted

predatory incursions, are gradually withdrawing all the cattle from the district, to the increased gloom of that melancholy prospect of misery and privation before us."

*From the Guiana Chronicle of December 17.*

### PROCLAMATION,

BY HIS EXCELLENCY MAJOR-GENERAL JOHN MURRAY, LIEUTENANT-GOVERNOR AND COMMANDER-IN-CHIEF IN AND OVER THE UNITED COLONY OF DEMERARA AND ESSEQUEBO, &c. &c.

His Majesty having been pleased to convey to me, through the Right Honourable the Earl Bathurst, K.G. Principal Secretary of State for War and Colonies, his royal approval of the measures adopted in consequence of the late unfortunate occurrences among the slaves on the east coast of this colony, and his satisfaction at the zealous and praiseworthy conduct of the officers, both civil and military, by whose exertions the rebellion has been happily put a stop to, and order re-established in this colony, as well as his Majesty's deep regret at the daring and highly criminal conduct of those slaves who have participated in the late revolt, has commanded me to make known to the slave population of these settlements, as expressly from his Majesty, and in his name, that it is on the peaceable, temperate, and industrious behaviour of the slave population, and on their anxiety to avail themselves of all means calculated to improve their moral and religious condition, that the success of those measures intended for their special benefit necessarily depends; and that an opposite line of conduct will forfeit all their claims on the liberality of the British Parliament, and deprive his Majesty's government of the means of carrying into effect the resolutions

which have been unanimously adopted by the House of Commons.

I have therefore thought fit, in the name of his most gracious Majesty the King, to cause this my proclamation to be printed and made public; commanding all persons having charge of any slaves in this colony, to make known to them the contents hereof, immediately, for their guidance.

Given under my hand and seal of office, at the King's House, in Georgetown, this 16th day of December, 1823, and in the fourth year of his Majesty's reign.

God save the King!

By command,

JOHN MURRAY, Gov. Sec.

### FEBRUARY.

Saint Petersburg, Feb. 24.

On Thursday last, the 19th instant, the marriage-ceremony of his Imperial Highness the Grand Duke Michael with her Royal Highness the Princess Helena of Wirtemberg was celebrated with extraordinary pomp and splendour in this capital. At an early hour in the morning the discharge of five large pieces of ordnance awakened the inhabitants to the honours of the day. At 11 o'clock the superior members of the hierarchy, the Court dignitaries, the general officers of the garrison, &c. assembled at the Winter Palace. After the illustrious bride (who on this occasion wore a rich crown upon her head, as well as a superb scarlet cloak trimmed with ermine) came forward from her apartments, her Imperial Majesty, the Empress Maria, accompanied by the whole of the Grand Princes, repaired to his Majesty the Emperor. In a short time the whole of the illustrious company proceeded to the Court chapel, where the marriage-ceremony was performed according to the ritual of the Greek church. The loud roar of 101 guns announced to the metropolis the



solemnization of the august marriage. The ceremony being over, their Majesties the Emperesses received the gratulations of the nobility, &c. and again repaired to the apartments of the Emperor. In the afternoon there was a grand dinner in the marble saloon of the Winter Palace, to which, exclusive of all the members of the Imperial house, were invited the three first grades of the empire—that is to say, the privileged nobility, all who had attained the rank of lieutenant-general in the army, and the civil class, as low down as privy councillors. In the evening there was a grand dress ball, where the brilliancy that reigned may be much better conceived than described. For three days there was an almost incessant ringing of bells; and in the evenings of those days the whole of the city was most splendidly illuminated. On Saturday, the 21st, their Imperial Highnesses the Grand Duke Michael and his Consort held a Court for receiving the felicitations of the nobility. The scene that now presented itself was one of the most dazzling and imposing ever beheld in the capital of the Czars. The distinguished visitants were subdivided into twelve distinct orders, or classes, viz.—1st, The superior members of the Russian hierarchy; 2d, the councillors of state of the empire; 3d, the members of the directing senate; 4th, the officers of the staff of the guards and the army; 5th, the grand dignitaries of the empire; 6th, the court functionaries; 7th, the imperial secretaries of state, accompanied by the state-secretary of Poland; 8th, the high chamberlain, the chamberlains, and other distinguished persons; 9th, the members of the corps diplomatique and their ladies; 10th, the Queens of Iniretta and Mingrelia; 11th, the ladies of state, the ladies of honour, and other ladies of dis-

tinction; and finally, 12th, the Princesses of Georgia. Brilliant as were some of the court galas in the days of Catherine II., those who are competent to judge, declare, they never recollect anything more magnificent and imposing than what has been witnessed on the occasion of the present nuptials in the imperial family. The happy event has been announced to all parts of the Russian empire, by a short though pithy proclamation.

25th.—On Sunday night, about 12 o'clock, a party of armed men attacked the cottage of Counsellor Philip Bor Read, at Woodpark, in the county Galway, near Mountshannon; they commenced by breaking the windows with a smith's sledge, and then fired upwards of thirty shots into the house, at the same time commanding Mr R. to give out his arms; there was no resistance made, and the villains entered the parlour through the broken window. Mr Read having slept in his room opposite the parlour, they fired through the window of it also, and unfortunately some of the shots took effect, and wounded Mr R. under the left shoulder. On receiving the wounds he quitted the bed and retired to the kitchen, where he fell on the floor from loss of blood. The robbers (for robbery appears to have been their object) on getting into the house, broke open a desk and a box, and whatever valuables were in them they took away, as also a gold watch and some silver coins which were on the table. A double-barrelled gun which hung in the parlour was also carried off. There were only two female servants in the house at the time of the attack, and a man servant, who had been in attendance on Mr R. during the day, did not make his appearance until after the robbers had fled. Mr Read had upwards of L.100 in bank notes in the

pocket of his pantaloons, which he left behind him in the bed, and fortunately the robbers did not discover them. On retiring from the house, they made a great noise, shouting and whistling, as if to collect some of the gang who had been posted at a distance to give alarm. A party of military and police, at four o'clock next morning, searched the neighbourhood for many miles, without discovering any clue to the perpetrators. The sledge was left at the hall door, and appears to have been taken away from a neighbouring forge.

Since writing the above, we have seen Surgeon Thwaites, who returned last night from Mr Read, whom he left with but faint hopes of recovery. The unfortunate gentleman received two balls in the lungs, two in the breast, and one under the shoulder, and several slight wounds in the arm.

Accounts have just been received, that six persons are arrested for the burglary at Mr Read's, one of whom, it is stated, acknowledged his guilt. They were apprehended by the Galway police. Eight more were named, whose apprehension would take place immediately.

“ Cape Town, Jan. 31.

“ The last mail from the frontier has brought most satisfactory accounts of our intercourse with the Caffres. Since the affair against M'Gomo, on the 5th December, no cattle whatever have been taken away by this people. That affair made such an impression, that T'Sambie (the most powerful chief) shortly afterwards solicited an interview with Major Somerset, at the same time sending back many head of cattle, which had been taken from the colonists. Major Somerset appointed Thursday, the 15th inst., and met him on the heights beyond the Commando Drift, on the other side of the Keiskamma. T'Sambie was at-

tended by his son and heir, Dusanie, the chiefs Congo, Pato, Crewina, and Habanna, and 2500 Caffres drawn up in close column. T'Sambie being called upon for his reasons for wishing to see Major Somerset, stated, that he came to be allowed to establish his kraals on his former ground, near the Keiskamma, and to implore that he might be left in peace. It was explained, that unless the chiefs under him restored the cattle stolen from the settlers, and gave up all deserters, his request could not be complied with, and that himself and people would be destroyed. T'Sambie replied, that he had already sent in two deserters, and had brought another with him; but he had been allowed to escape by Habanna; that he would force that chief to restore him; and requested Major Somerset to wait two days, to afford him time to do so. Major Somerset agreed to this, on receiving the chief Congo, Ray T'Sambie's principal heemraad, and 20 Caffres, as hostages. T'Sambie then assured Major Somerset, that should in future any cattle be stolen by any of the people belonging to the captains under him, he would immediately attack them, and make them restore the cattle. On the 17th, T'Sambie sent Major Somerset 100 head of cattle, and informed him, that in a day or two he would send more. Being satisfied of T'Sambie's sincerity, and Habanna not having given up the deserter, Major Somerset crossed the Keiskamma, at 11 p. m. on the 17th, with the Cape cavalry, and fifty burghers, under command of Durand, and at day-break came upon Habanna's and Nouno's kraals—the former had made off with all his cattle; but Captain Massey fell in with Nouno's people, and brought away 240 head of cattle. Many would have been shot, had not Major Somerset given orders that they should be spared.

"An accident of a very serious nature has happened within these very few days to Colonel Bird, colonial secretary. When mounting his horse at his own door, the animal suddenly became restive, commenced plunging, and threw himself at last upon his side, when a great part of his weight coming on the Colonel's left leg, (who found it impossible to extricate himself from his dangerous situation,) the fracture of the bone immediately below the tubercle of the tibia was the consequence. By the early assistance of Drs Barry and O'Reilly, the fracture was set; and the knee joint, and the limb, as far as the ankle, have also sustained great injury. He has since been free from fever, and with as little general disturbance as could be expected from so severe an accident."

### MARCH.

Pursuant to his sentence, James Bridgman was hanged at the drop in front of the new county gaol, for the murder of Major Going. The unhappy man seemed resigned and prepared for his fate. We hear that he avowed his guilt in the cell, immediately before his execution; he confessed that he was at the murder, but that he did not fire any of the shots. The clergymen who attended him appeared in their robes. This is the third person who has been executed for this offence; and we trust that the effect his fate must have produced on an immense multitude who were present will be productive of the best effect, and tend to let those miserable and deluded creatures see, that the vengeance of God and the laws, though for a moment delayed, is certain to pursue the perpetrators of

those outrages which disgrace our county.—*Limerick Observer.*

TO LIEUTENANT-GENERAL THE  
MARQUIS OF LONDONDERRY, G.  
C. B.

(COPY.)

Horse-Guards, March 22, 1824.

MY LORD,—I have had the honour to receive, and to lay before the Commander-in-Chief, your Lordship's letter of the 14th instant, and I am directed to say, that his Royal Highness is not surprised that the statement of Mr Battier should have filled you with astonishment and indignation.

His Royal Highness rejoices, however, that your Lordship's letter offers to him an opportunity of making some observations upon that statement, and of conveying to you, for such use as you may think fit to make of it, his view of Mr Battier's recent proceedings; and I will endeavour to execute his Royal Highness's instructions to that effect as briefly as the subject will admit, and without entering into any *unnecessary* detail.

Your Lordship is aware, that when Mr Battier applied for the exchange to the 10th hussars, he produced testimonials of his previous conduct in the 5th dragoon guards and the 18th hussars, which were considered by his Royal Highness perfectly satisfactory. These testimonials were signed by Lieutenant-Colonel Gordon, of the 5th dragoon guards, Colonel Murray and Lieutenant-Colonel Hughes, of the 18th hussars—and they spoke, *without reserve*, of his qualifications as an officer and a gentleman.

Upon his joining the 10th hussars, he experienced a reception and a treatment from the officers forming the mess of the corps, which neither his apparent incapacity and unfitness

for the duty of a regiment of cavalry, nor any exception taken to his manner and appearance, could justify, and which were, upon his representation, censured in the strongest terms by the Commander-in-Chief, and drew upon those concerned the expression of his Royal Highness's unqualified disapprobation. The communication upon this subject was made to Lord Combermere, who was desired to reprimand the officers, and to admonish them not to persist in a course which would expose them to marks of more serious displeasure.

Before, however, my letter reached Lord Combermere, the officers concerned had been convinced of the impropriety of their conduct, and had acknowledged their error; and although they may not have felt inclined to place themselves upon a footing of easy or familiar intercourse with Mr Battier, it does not appear that they, as a body, or as individuals, subsequently afforded to him any cause of complaint which could warrant further remonstrance, or call for notice from higher authority, or which could provoke him to "personal collision." On the contrary, Sir Colquhoun Grant states, that Mr Battier acquainted him that he and his friends were satisfied with the manner in which his representations had been met, and the whole affair arranged with his brother officers.

Reports were, however, made by Colonel Sir George Quentin, through Lord Combermere and Sir Colquhoun Grant, of Mr Battier's utter unfitness for the duties of a cavalry officer, and of the improbability of his ever being sufficiently improved by drill or instruction to become capable of doing justice to his situation, or to the regiment. These representations were afterwards confirmed by a special report from Sir C. Grant.

Mr Battier was, in consequence,

told, by order of his Royal Highness, that he had better remove from the 10th hussars, by retiring to half-pay, or (as there was nothing in the reports made which could affect his character as a gentleman) with the option of purchasing a half-pay lieutenantancy of infantry, whenever the opportunity should offer.

To this Mr Battier subscribed, and it was clearly understood that he should quit a regiment and a branch of the service for which he had been proved, and, in fact, had acknowledged himself to be unfit, and in which he never would have been replaced, if his Royal Highness had not been misled by the testimonials of his previous commanding officers. Thus stood matters until the period of your lordship's visit to your regiment, and Lord Combermere's review of it.

Upon the occasion of the inspection of the regiment by Sir Colquhoun Grant, on the 19th of November, Mr Battier conveyed, through Lieutenant-Colonel Taylor, his earnest entreaty to Sir Colquhoun Grant that he would not expose his incompetency by exhibiting him in the third class of riding drill, and he again acknowledged his unfitness for the situation he held.

Sir Colquhoun Grant acquiesced in his request, and told him in the presence of Sir George Quentin and Lieutenant-Colonel Taylor, that, as he could not appear at the review, he would give him leave of absence, of which he might instantly avail himself; Mr Battier stating, at the same time, that it would be unpleasant to him, under these circumstances, to remain with the regiment, and Sir Colquhoun Grant, knowing that Mr Battier was to be removed from the 10th hussars, concluded that he would at once take his leave—an impression which was confirmed

by Mr Battier's leaving the barracks in plain clothes, and ceasing to do any duty, or to appear in uniform, according to regulation.

Upon the 24th of November, when your lordship inspected the regiment in the morning, Mr Battier did not appear, and was reported absent on leave, the official notification having been conveyed to him on the 23d, the leave having been given verbally by Sir Colquhoun Grant from the 19th.

In the evening of the 24th, when your Lordship dined at the mess, Mr Battier thought fit again to make his appearance as an officer of the corps, and upon this occasion, the circumstances occurred which form the subject of Mr Battier's letter to me of the 7th December, which he has published.

Upon receiving this letter, the Commander-in-Chief ordered me to desire Lord Combermere to call upon Sir George Quentin for his reply to Mr Battier's complaint, and not being satisfied with the explanation therein given, he directed me subsequently to write to your Lordship, and to express his surprise and regret that you should, by your proceeding on the 24th of November, have appeared to sanction, and have actually sanctioned, a previous course of conduct on the part of the officers of your regiment, which had incurred his Royal Highness's displeasure, and had been marked by the expression of his serious disapprobation.

Your Lordship's reply stated your entire ignorance of the proceedings which had incurred his Royal Highness's displeasure, and of the reproof conveyed to the officers concerned; it denied many of Mr Battier's assertions, more particularly that which stated that you had threatened to take steps with his Royal Highness, the effect of which would be "seri-

ously to injure his prospects in the army if he did not retire from the mess," and it assigned, as a reason for your proceedings, the fact previously stated to you by Sir Colquhoun Grant, that he had five days before given Mr Battier leave to quit the regiment, of which Mr Battier had actually availed himself, by not attending any duty since the 19th, your impression (as well as Sir Colquhoun Grant's) being that he had left the head-quarters of the regiment. This statement of your Lordship's is corroborated by Sir George Quentin, who was present at your interview with Mr Battier on the 24th.

His Royal Highness ordered me, in reply, to assure you, that your explanation was satisfactory, and to censure in strong terms the conduct of Sir George Quentin, in omitting to apprise you of what had passed, and in suffering you to remain in ignorance of it when you desired him to speak to Mr Battier, and to prevent his dining at the mess, adding, that his Royal Highness was confident, that if you had been duly apprized of the previous occurrences, and of his Royal Highness's view of them, you would, in spite of Mr Battier's ill-judged and ill-timed appearance at the mess, have felt anxious to concur with his Royal Highness in checking proceedings inconsistent with the principles of subordination and the acknowledged rules of society, which therefore his Royal Highness must condemn wherever they occur, and in maintaining that respect for superior authority, of which some officers of the tenth had lost sight in the adoption of a line of conduct that had drawn upon them a reproof of which they had acknowledged the justice.

Having given this general statement of the circumstances as derived from the official documents in my

possession, I shall proceed, in obedience to his Royal Highness's commands, to make some observations upon Mr Battier's statement, which is an appeal to the feelings of the army and the public against the Commander-in-Chief, whom he most unjustly and incorrectly accuses of having disregarded his complaints, not less than it is a libel upon your Lordship, and upon the regiment, from which he has retired for the avowed purpose of resorting to such a course.

The first parts of it are hardly deserving of comment. Mr Battier complains that the Commander-in-Chief had in private visited the conduct of the officers of the 10th with his censure and reprimand, "but had not been pleased to publish throughout the army any manifestations of this displeasure."—His Royal Highness conceives that he may use his discretion in the manner of noticing any representation or appeal made to him; and that, upon this occasion, he adopted the course best suited to circumstances, such as indeed did produce the desired result, as must appear from the statement of facts I have given, and from Mr Battier's own admission.

Mr Battier states, that while the officers of the 10th placed him in *Coventry*, and withheld from him the marks of courtesy which, in civilized society, are considered due to a gentleman and a stranger, each member of the corps observed the cautious policy of shunning all risk of personal collision.

He admits this. He expresses the *feeling* under which he quitted the corps,—a feeling of decided hostility—a feeling which leads him, when he had crossed the water, and as soon—as he had ceased to bear a commission in it, to insult and defy, not one member of it, but the whole corps

*indiscriminately*,—and yet this individual, who would seem, from his own account, to have courted "personal collision," and who now discovers grounds for insulting a whole corps, which had been denied to him by "the cautious policy of each member of it," did not hesitate, very unnecessarily and very indiscreetly, circumstanced as he was, to appear at the mess, after leave of absence had been given to him in consequence of his intreaty to Sir Colquhoun Grant, that he might not be exposed to ridicule.

It is reasonable to ask what could be Mr Battier's motive for appearing at the mess at such a moment, and with feelings such as he avows in his published statement? Were his intentions amicable or hostile? If amicable, his subsequent invectives would betray strange inconsistency; if hostile, and supposed to be so from any previous expression in other quarters of those sentiments now published, no better justification could be found for your Lordship's exclusion of him from the circle to which he sought admission.

After these remarks, his Royal Highness considers it wholly unnecessary to notice the general reflections with which Mr Battier has favoured the corps of officers.

I proceed to Mr Battier's comments upon the Commander-in-Chief's conduct. He states that, "in consequence of your Lordship reporting him unacquainted with his duty, and unfit for cavalry service, his Royal Highness was pleased to take no notice of his appeal, farther than allowing him to purchase a half-pay lieutenantancy of the 8th dragoons."

As Mr Battier thought fit to publish, without any previous permission obtained from his Royal Highness, my letter of the 17th February, which acquaints him that his Royal High-

ness had more than once expressed his disapprobation of the conduct observed towards him by some officers of the 10th hussars, it may be presumed that it was not from delicacy or discretion that he abstained from publishing also my reply to his letter of 7th of December, of which I now subjoin a copy for your Lordship's information, and from which it will appear that Mr Battier has taken care to give to the public so much only as would serve his own purpose, and to withhold the reasons assigned by his Royal Highness for not noticing further what had passed.

I am directed to add, that; however disposed to admit that Mr Battier had experienced a treatment, while a member of the 10th hussars, which was calculated to produce much soreness of feeling, and however willing to allow for the irritation under which he quitted the corps, and even for the impression he may have entertained that his complaints had not met with the attention to which he considered them entitled, and which was in fact shewn to them, Mr Battier's publication appeared to his Royal Highness to be so gross a breach of discipline, that his first intention was to have recommended to his Majesty that he should be dismissed from the service; and I was therefore ordered, on the 12th instant, to write to him, and to desire he would state whether he was the author of it. But as this publication, independently of the insult offered to your Lordship, his late colonel, and to the whole corps, contained also comments upon his Royal Highness's conduct, which might be presumed to be personally offensive to him, his Royal Highness has abstained from following a course which a sense of duty to the service would have otherwise prescribed, lest it might be supposed that he had been influenced by feelings of personal irritation to-

wards an unfortunate and misguided individual.

I am directed further to say, that his Royal Highness cannot sanction your Lordship, or the officers of your regiment, taking any notice of Mr Battier's statement; and to repeat that you may make free use of this letter and the enclosure.

I have, &c.

(Signed) H. TAYLOR.  
A true copy, H. TAYLOR.

"Horse-Guards, January 13, 1824.

"SIR,—Having laid before the Commander-in-Chief your letter of the 8th December last, and having, by order of his Royal Highness, made a reference upon the subject to Lieutenant-General Lord Combermere, and to Lieutenant-General the Marquis of Londonderry, I am directed to acquaint you, that as his Royal Highness had already, in consequence of the report made, some time since, of your unfitness for cavalry service, expressed his intention of recommending you, when the opportunity should offer, for the purchase of a lieutenancy of infantry, he does not consider it necessary to notice further what has passed in regard to you, in a regiment which you will not be called upon again to join, the more especially as it appears, from the report of Major-General Sir Colquhoun Grant, that, previously to your appearance at the mess upon the occasion which produced your complaint, you had been allowed, at your own request, to absent yourself from the review of the 10th hussars, and had obtained leave of absence, of which you had availed yourself so far as any duty or appearance on parade were concerned. I have, &c.

(Signed) "H. TAYLOR.  
"To Cornet Battier, 10th  
Hussars, Thompson's  
Hotel, Holles-street.  
"A true copy, H. TAYLOR."

**DIABOLICAL OUTRAGE.**—It is with feelings of great emotion we announce another deed of aggression, which nothing but the intervention of a kind and merciful Providence could have prevented from equaling, in blood and horror, the murderous catastrophe of the wretched Sheahs. On the morning of Friday, the 26th instant, the lady of W. Usher, Esq. of the barony of Lower Ormond, in the county of Tipperary, was awakened from her peaceful slumber at three o'clock in the morning, by the shrieks of her eldest child, an infant scarcely seven years of age, who, in terrified accents, complained of suffocation. The agonized mother, finding the fears of the little creature too well grounded, by presence of mind almost incredible in her situation, succeeded in alarming the rest of the family, and, with the assistance of her brother, Mr J. Price, with difficulty effected the escape of her *six younger infants, naked and helpless—at the most inclement hour of the morning—in such a season as this*—the house enveloped in flames—a crew of ruffians surrounding the premises—and murder staring them in the face! The family, redeemed from death, were ultimately assembled on the lawn, consisting all together of eleven or twelve individuals, all Protestants; and beheld, in that forlorn and hopeless situation, the total wreck of their whole property. Furniture, bills, notes, and cash to a very considerable amount—all, all fell a prey to the flames lighted for their destruction by the murderous incendiaries! It is not in the power of language to describe the horror of the scene. Scarce an article was saved from the general wreck; but, thanks to the mercy of God, the wretched family succeeded in saving their lives and the lives of their children; houseless, naked, shivering with cold and ter-

ror, they witnessed the flames which were devouring their once happy mansion; beheld the total destruction of the property which had long contributed to their comfort; and heard the heart-rending groans of horses, cows, and other cattle, which remained a tortured prey to the destructive element! A mare, a most valuable animal, whose celerity had more than once rescued her owner from the sanguinary attempts of those fire-brand assassins, became a prey to the flames. The letter announcing the above melancholy but imperfect particulars was written by the road side. The family were ultimately received and protected in the hospitable mansion of Ralph Smith, Esq. of Kilwarden Lodge.—*Dublin Paper.*

**LONDON.**—A painful sensation was excited at the west end of the town by a rumour which obtained circulation, that a naval officer of high rank had put a period to his existence. We regret to state that this rumour was not without foundation, and that the unfortunate individual, who had thus fallen by his own hand was Sir George Ralph Collier, K.C.B. a captain in the Royal Navy. This gallant officer, it appears, had been residing for some time back at Gordon's hotel, in Albemarle-street, and during that period was observed to be considerably depressed in spirits. On Tuesday he called at the Admiralty, but there was nothing in his manners at that time which indicated an aberration of intellect. On the same day, he called at the United Service Club-house, in Regent-street, of which he was a member, and here he shewed strong symptoms of irritation, in consequence of some severe strictures upon his conduct, which he said were contained in "James's Naval History." On his return to Gordon's in the evening, the uneasiness of his



mind became more apparent, and on being visited by his brother, who is a highly respectable navy-agent, conducting his business in Brick-court, Temple, that gentleman prevailed upon him to accompany him to his own house in Soho-square, where he used every argument in his power to soothe his agitation. These arguments seemed to have had the desired effect, and the unhappy gentleman retired to rest in a state of mind comparatively easy. On the following morning, however, his feelings were again excited to a state of momentary frenzy, and, while labouring under this paroxysm, he seized a pistol, and, in a moment, deprived himself of life. His body was discovered, weltering in blood, almost immediately afterwards, but all surgical aid proved ineffectual. An inquest was held on the body in the course of the day, when evidence was adduced, shewing most clearly that the unfortunate officer had for some time laboured under a state of nervous irritability, which rendered his conduct a subject of general remark. The deceased was the son of Admiral Collier, and was related to the family of General Gwynne, a favourite equerry to his late Majesty. He has a half-brother, now holding an official situation in the Isle of France. He was himself raised to the rank of captain in the Royal Navy on June the 30th, 1790, and was created a baronet in 1814. He distinguished himself by his meritorious services on many important occasions, particularly by his perseverance and bravery, when, in the command of the *Victor*, in 1801, he captured the *Hoche*, and subsequently in the assistance which he afforded the British troops under the command of Sir John Moore, on the coast of Spain, during the war in the Peninsula. Since the peace, his activity in suppressing the traffic in slaves

on the coast of Africa, has obtained for him the warmest commendations of his Majesty's government. He was at all times esteemed as a zealous and gallant officer—alike an honour to his country, and an ornament to society. In private life he was universally esteemed, and his prompt benevolence will long live in the memories of those who, in the hour of need, have partaken of his bounty.

## APRIL.

### FATAL EFFECTS OF FANATICISM.

2d. At the Launceston assizes, Emma George, a young woman, 19 years of age, was indicted for the murder of her brother, a child seven years of age, by hanging him with a handkerchief. The circumstances of this distressing case were simply these:—The unhappy young woman had been in the habit of attending the meetings of ignorant 'methodistical preachers, from whose fanatical precepts she conceived the notion that it behoved her to avoid the evils of this life by a speedy death. Unwilling, however, to commit suicide, she determined upon the horrible expedient of murdering her mother, but afterwards changed her resolution into that of hanging her infant brother, under the double impression, that, whilst she sent his soul to Heaven, she should herself be put to death for the commission of that crime. After she had committed the horrid deed, she became frantic, seized a large knife, and would have cut her own throat, had she not been prevented by a neighbour who had just called in, declaring that she was determined to go to Heaven with her brother.

The evidence adduced with respect

to the practices at the meeting, is too revolting to reason to be detailed.

The prisoner did not wish to say anything in her defence.

Mrs George, the mother of the girl, said, "My daughter attended a Methodist meeting at Redruth for about seven weeks before the death of my boy; she also attended the Revival; I have fetched her home from the Revival. I went for her one night, about half past ten o'clock, she having been there from two o'clock in the day. On going to the chapel, I found it extremely crowded. My daughter caught a sight of me, and immediately she lifted up both her arms, as if she was going to fly to the top of the room, and called on her dear mother and father to pray to the Lord to help them, for that they could not see the danger they were in. I got her out of the meeting as soon as I could, but she had lost her cloak, bonnet, handkerchief, and pattens, and was extremely disordered in her dress. She had been moving from one part of the meeting to the other, and, in her unbounded zeal, had dropped her clothes, and they were trodden under foot. My daughter's conduct, after attending the Revival, was quite different from what it had usually been. This was about seven weeks before the dreadful act was done. On another occasion, she came home praying in a horrible manner for the conversion of her father and mother."

The Court.-- Explain what you mean by praying in a horrible manner.-- "I mean violently and outrageously agitated. From the commencement of the Revival she never missed but one meeting. She also attended prayer-meetings and class-meetings. Before the death of my son, I apprehended my daughter would do me some violence. On the Monday preceding, she came home and sat by the fire in a melancholy way, and said,

'Mother, I am going out of my mind.' I spoke a few words to pacify her, and she went to bed. The next night she said she was better, but she appeared very low. On Wednesday night, on coming home, she said to me, 'I am tempted to murder my mother!' I said I was surprised that she should think of murdering me; and she said, 'I do.' After she had said this she went to the Revival, and returned between nine and ten. From what she had said, I took the knives and hid them, to prevent her doing a mischief to herself, me, or the family."

At the close of the evidence, the unhappy young woman, who had throughout the trial been too ill to pay much attention to what had been passing, fainted, and was carried into the air, in strong convulsions, by five or six men. In the street her distressing screams were heard for nearly a quarter of a hour, before she could again be brought into Court.

Mr Justice Burrough said, there was no question but that the young woman at the bar was the cause of her brother's death, but it would be for the Jury to consider, whether when she committed that crime she was in a state of mind capable of distinguishing right from wrong, and if they should be of opinion that she did it in a moment when the imbecility of her mind was so great that she could not make that distinction, then the offence did not amount to wilful murder. It would not, however, be sufficient to acquit her of that crime, by supposing that she acted under a momentary religious frenzy that did not totally occasion such defect in her mind as to deprive her of all reason. Upon looking at the facts given in evidence, it was almost impossible to conceive that the prisoner could be otherwise than insane when she determined on the murder of her own brother, as the

means of getting to Heaven. The Almighty had expressly declared, that murder and suicide were two of the highest crimes that called for his vengeance; but such was the delusion this young woman had laboured under, that she first murdered her brother and then contemplated self-destruction, conceiving that by committing these high offences, she should be securing a way to Heaven. It appeared that this young female had been in the habit of attending religious meetings, as they were called, where the wildest and most extravagant excitements were used that could possibly operate on the minds of the weak, and lead them from a just sense of the importance and duties of religion. His Lordship knew nothing of the particular sect of persons that had been spoken of to-day, and God forbid that he should be conceived as wishing to restrain any person from following those religious customs which were most conformable to the conscience, but he did conceive that the general benefit of society should be attended to, and therefore he could not but consider that the doctrines and mode of worship which inculcated the pernicious principles this young woman had acted upon were injurious to society, and ought to be suppressed. He, therefore, guarded the pastors of those congregations against continuing in those practices, as being derogatory to true religion, and dangerous to the safety of the community. His Lordship thought there were many circumstances in the case which decidedly shewed the girl to have been of an irregular mind when she did the act. Her mind, from mistaken impressions, produced by religious excitements, had conceived that she must commit a murder before she could get to Heaven, and at one time she had marked out her own mother

as the object who was to be devoted to her frenzy; at another time, children she had never seen before, were to fall her victims; and lastly, her brother unhappily being in her power, she murdered him in the same absence of malice, as she would have done to any other individual. If the Jury were of opinion that the child lost his life while she was in a state of insanity, they would return a verdict of *Not Guilty* on that ground, and his Majesty's government would then protect her till she was found to be sufficiently restored to her reason to be returned to her friends.

The Jury returned a verdict of *Not Guilty*, believing her to be insane at the time.

The Court ordered her to be detained in custody, but assured her friends she would not be kept long from them.

#### ASSAULT UPON MR JAMES.

5.—*Union-Hall*.—Yesterday this office was crowded before 12 o'clock with naval and military characters of the first rank, this case having excited the greatest interest everywhere, particularly amongst the friends of the unfortunate Sir George Collier. The assault-warrant was executed on Saturday evening, and Captain Sir John Phillimore, C.B. gave bail to appear before the magistrates, (L. B. Allen and C. J. Chambers, Esqrs.) of this office, to answer Mr James's complaint. Mr James was attended by Mr Adolphus, the barrister, and Mr Harmer, the solicitor. Sir John Phillimore was accompanied by his brothers, Dr Phillimore, M.P., and Mr Phillimore the Chancery-counsel, and a great number of naval friends, amongst whom were Sir Pultney Malcolm, Captain Randolph, R.N., Captain Jefferson, R.N., &c.

Mr Harmer requested, before the

commencement of the inquiry, that Sir John Phillimore would give up the name of the gentleman who had accompanied him to the house of Mr James, on Friday last.

Sir John Phillimore said he did not exactly see the necessity of doing so, but he was willing to be decided upon that question by the opinion of the magistrates.

The magistrates issued no direction to this effect, but desired Mr James to look round the office, and ascertain whether the individual, to whom his solicitor had alluded, was amongst the crowd. Mr James looked round, but did not observe the person whose presence he wished for.

Mr Harmer said, that if Sir John Phillimore refused to give up the name of the person, a warrant should be applied for, for the apprehension of that individual, whose appearance was well known, although his name was as yet a secret.

Mr Allen then told Sir John Phillimore, that if he wished for an adjournment of the case, in order to consult a solicitor, he should be accommodated. Sir John replied, after having thanked the magistrate for this courtesy, that all he wanted was a fair hearing, which he had not a doubt of procuring at that office before the present magistrates.

Mr James stated, that at about two o'clock on Friday afternoon, while he was writing in his study, at his house, No. 5, Chapel-fields, South Lambeth, he was alarmed by a violent rapping at the hall-door, which continued until the door was opened by the female servant, when two persons, having the appearance of gentlemen, one of whom was Sir John Phillimore, entered his study, with their hats on. Sir John, who was in a violent rage, foaming at the mouth, and scarcely able to articulate, pointed to "The Naval History," which happened to

lie on the table. He seemed to be anxious to demand an explanation concerning some statements in that history, but was prevented from making himself intelligible by the fury of his passion, which agitated him in a most extraordinary manner, and, in fact, gave him the appearance of a maniac who had just started from confinement. Sir John continued to point to the History; but, so blinded was he with rage, that the part of it to which he directed the witness's notice had no personal reference, and had no sort of application to himself. The witness then turned to the paragraph which had been the occasion of this strongly exhibited resentment. The paragraph related to the engagement between the *Eurotas* and *Clorinde*, and was as follows:—

"COMPARATIVE FORCE OF THE COMBATANTS.

	<i>Eurotas.</i>	<i>Clorinde.</i>
"Broadside guns, No.	23	22
	Lbs. 601	463
	Crew 330	344
Size—Tons	1084	1003

"Had the *Eurotas* been armed the same as the generality of her class, this would have been a tolerably fair match; but the former's 24-pounders destroyed the equilibrium. Yet, with a distance that would have suited carronades, these 24-pounders did not do so much execution in proportion to the time they were acting, as had been done on many other occasions by an equal number of eighteens," &c. Witness himself read the paragraph aloud, and Sir John said it was incorrect. Witness replied, that he had the information from the books of the Navy-office, and he believed it to be correct. Sir John then swore the work was a rascally one, and written by a scoundrel. Witness, indignant at such an insult, told Sir John "he lied," or that he was "a liar;" at hearing which, Sir John took from

under his coat a stick or bludgeon, and struck him violently over the head. Witness jumped from his chair, seized Sir John, and would have humbled him, had it not been for the interference of the man, (he must call him,) who accompanied his assailant. At this juncture Mrs James, who was unwell, rushed into the parlour, and averted another blow directed at him by Sir John. She screamed out for a constable, and Sir John and his companion ran out of the house.

Mr Chambers.—How did they go out?—Mr James. They ran out with all possible speed.

Mr James's servant girl deposed as to the admission of the two gentlemen, who, she said, rushed into the parlour, the door of which was instantly shut. She heard the names of "scoundrel," "rascal," and she also heard the sound of blows given with a stick. Upon entering the room, she saw her master's face covered with blood; and her mistress wrestling a stick from the hands of one of those who had entered. She likewise saw the two persons run away.

Mr Chambers asked the girl whether the stick was of the size of his wrist or of his finger?—She replied, that she believed it to be about the size of a man's finger.

Mr Allen.—Are you positive that Sir John Phillimore entered the house with the stick concealed?—Witness. On opening the door I perceived the stick in his hand.

Mr Allen then called upon Sir John to explain, if he thought proper, why he had committed this breach of the peace.

Sir John then stated, that upon his recent return from the South American station to Portsmouth, he dined in company with several naval officers of high character; amongst whom the conversation turned to the subject of "James's History of the Na-

val War." One of the company observed upon the occasion, that he (Captain Phillimore) was "in for it," as to the action between the *Eurotas* and *Clorinde*. This assurance naturally prompted him to refer, as soon as possible, to the book: in which he found some gross inaccuracies. His next impulse was, to consult with his friends upon the steps most advisable of adoption. Their advice was, that he should at once come up to London, to make the necessary inquiries upon a subject which he considered as affecting his professional character in an intolerable degree. He accordingly came up to town without delay, and, accompanied by a friend, called at the house of Mr James at the time previously stated. He was willing to acknowledge that he was at the time agitated in an extreme degree, in consequence of the gross misstatement respecting the engagement between the frigate he had the honour to command and the *Clorinde*. He would appeal to the heart of every man of honour, whether some allowance ought not to be made for the burst of passion with which he had been described to have commenced and finished his address to the author of the calumny. He had fought and bled in several engagements; and never in the history of his naval life had he witnessed greater evidences of gallantry than upon the occasion on which "The Naval History" had so falsely and unfairly animadverted. One of the misrepresentations was that which stated that the *Eurotas* frigate fought with 24-pounders. She did not fight with 24-pounders. A few days before the engagement with the *Clorinde*, she exchanged her guns for 18-pounders, with which she obtained a most signal victory. Sir John Phillimore then admitted, that, under these aggravated circumstances, he had assaulted the complainant; but

he denied that he had struck the author of the calumnies with a bludgeon. The stick he had used was that which he now held in his hand. (The stick was about as thick as a man's little finger, and appeared to be a riding-stick.)

Mr Allen said, that under all the circumstances he felt it his duty to require bail for Sir John's appearance at the sessions; but he sincerely hoped that the affair would be amicably arranged before their commencement.

Bail was immediately given, and the parties left the office.

Mr Battier has published a Reply to Sir Herbert Taylor's Letter. We subjoin three principal passages of his Statement:—

"Military readers do not require to be told, that the Commander-in-Chief's orders are strict and peremptory with regard to the instruction and the drill of young officers joining regiments. Will it not then excite some little surprise when they are told, that Colonel Sir George Quentin, the then commanding officer of the 10th Hussars, ordered me on two different occasions to attend no drills, no parades, no duties whatever? If, on joining the regiment, I could not boast of much proficiency as a cavalry officer, was it to be expected that I should attain it by inspiration? Or, was it likely that the small portion of knowledge which I could lay claim to would be improved and augmented by an order from the commanding officer to do no duty whatsoever, and to attend to no drill nor instruction that might enable me to learn that duty? I call upon Major General Sir Colquhoun Grant to corroborate the assertion I have just made. He, at least, possessed judgment to see through the conspiracy formed against me, and feeling and principle to de-

spise it. I appeal to him by his frankness as a soldier, by his honourable feeling as a gentleman, and by his candour and truth as a man, to confirm my statement. I bring to his recollection, that on the last of the two occasions alluded to, I called on him at his apartments in the Royal Barracks, Dublin, and that then and there, in the presence of Major England, his aid-de-camp, I distinctly reported to him the fact I have just related. I stated, that for two distinct periods, each comprising the space of six weeks and upwards, I was expressly ordered by Sir George Quentin to attend to no drills, and to do no duty with the regiment; and I now, for the purpose of impressing this event more forcibly on Sir C. Grant's mind, recall to his memory the conversation which he held with me in reply. He signified his intention of inspecting the regiment in a few days, and stated that he would examine me along with other officers as to my proficiency in my riding-drills, and my other duties. I then took my departure.

\* \* \* \* \*

"I now offer some remarks on the defence set up by Lord Londonderry for his conduct on the evening of the 24th, when his Lordship dined at the mess. In the first place, his Lordship states his entire ignorance of the proceedings which had incurred his Royal Highness's displeasure, and of the reproof conveyed to the officers concerned. On this head, I have to observe the very great improbability, not to say the utter impossibility, of his Lordship's 'entire ignorance;' the proceedings alluded to were matter of public notoriety; they were as glaring as the noon-day sun; they were freely discussed in places of public resort; they were the topic of conversation in the circles of private society; they were made the theme of ribaldry among the very outcasts

of society, whom the officers of the 10th, on these occasions, patronized as their selected confidants, and the chosen depositaries of their secrets. But, however, as the most Noble Marquis professes total ignorance of circumstances that occurred in his own regiment, and that were so plain and palpable to all the world beside, I beg to ask him a few questions. Previously to his Lordship ordering me out of the mess-room on the 24th, did not Sir George Quentin submit for his Lordship's perusal the entire of the documents relating to me, and which comprised my report to Sir Colquhoun Grant, together with the Commander-in-Chief's reproof to the officers concerned? Did not his Lordship retain these papers in his possession for an entire day? and on the following morning, when he returned them to Sir George Quentin, did he not state that he had made himself master of their contents? *Verbum sapienti.* \* \* \*

"With regard to the officers of the 10th at large, I have little to add. Sir Herbert Taylor has admitted, that their conduct was most unjustifiable, and his Royal Highness has more than once expressed his disapprobation. Why the Commander-in-Chief should have occasion to express his displeasure at the conduct of any of his officers more than once, is a question that will perhaps remain for ever unanswered. The military secretary has endeavoured to establish, that the officers of the 10th, at length convinced of their impropriety of conduct, subsequently endeavoured to atone for mistaken prejudice. 'Tis true, that by the command of his Royal Highness, they made their formal and affected obeisance; they honoured me with their official salaam! But where was the altered conduct that might have redeemed past error? Where was the courtesy

that might have allayed, wounded feelings? Where the genuine politeness that marks the gentleman, and might have given some pretensions to humanity, to honour, and to sense? The mandate of authority enforced the ceremonious acknowledgment; the hand of power compelled the lip to move, whilst feeling was frozen in the heart. It was indeed a laughable and pitiable sight to see these high-spirited gentlemen, whom their own good feeling could not induce to act with common decency, forced at last to obey a power which yet they had not sense to respect." \* \* \*

*"To his Royal Highness the Duke of York, Commander-in-Chief of his Majesty's Forces.*

"We, the undersigned resident gentry of the city of Dublin, humbly entreat, that your Royal Highness will be graciously pleased to remove from this garrison the 10th regiment of Royal Hussars. We are induced to make this entreaty from a conviction that such a measure will be calculated to preserve that good feeling which has heretofore invariably subsisted between us and the officers doing duty in our garrison—that it will conduce to the peace of the city, and contribute to the character of the service."

#### ALARMING AND DESTRUCTIVE FIRE.

12th.—Yesterday morning, about three o'clock, the inhabitants of Derby were thrown into great terror and alarm by the discovery that the shot-tower of Messrs Cox and Poyser was on fire. The alarm, which was first given by the watchman, soon became general by the reiterated cries of "fire," the springing of rattles, and the broken peals of the bells of the different churches; and the action of the destructive element shortly de-

came awfully conspicuous from the flames which burst from the summit of the tower. The inhabitants, and the firemen, with their respective engines, hurried to the spot with great alacrity. All Saints engine was the first to arrive, and being in perfect order, and directed by Mr Chatterton, with his accustomed energy and ability, (assisted by the engines from St Peter's and St Alkmund's,) did great execution; whilst the engine from St Werburgh's was most efficaciously conducted by Mr Hood in an opposite direction. The tower is one hundred and fifty feet in height, divided into seven stories by floors or stages, with a circular opening in the centre from top to bottom for the manufacture of the shot, a spiral stone staircase leading to the top, where the lead is melted and the shot cast. The workmen had been in the manufactory the preceding evening, and the fire is supposed to have been occasioned by the caster having incautiously left some wood too near the furnace, in consequence of which it was communicated to the floor. The burning fragments falling down conveyed the mischief to the stories below, and it descended with so much rapidity, that notwithstanding the active and unremitting exertions used to stop its progress, five of the floors were consumed before it could be overpowered. The weighty apparatus and machinery used in the manufacture of the shot and the winding up of the lead, descended at intervals with great violence, breaking in their course the massy and partly consumed beams of the building, and forcing many of the stone steps from the wall, and in consequence the two lower floors were completely broken down and destroyed. The principal aim of the firemen was to prevent the devastation from extending beyond the tower, and by their unwearied and active exertions

for the space of about three hours, the whole of the adjacent works and buildings have, under Providence, been preserved from destruction. The appearance of this catastrophe was particularly grand and awful when the flames first issued from its summit, arising in a considerable volume, accompanied with innumerable fragments of ignited matter, which formed in their descent showers of fire, and its red and murky appearance presented a striking contrast to the pure light of the moon, which shone at the time in an opposite direction with unclouded brightness. As the fire descended, the flames were confined to the interior of the building, and the effect became less striking. The utmost terror and confusion prevailed among the inhabitants in the immediate vicinity, many of them flying precipitately with their families from the apprehended danger, but we are happy to learn that no accident of any serious nature occurred on the occasion. Notwithstanding the frequent and violent concussions occasioned by the falling of the beams, and the breaking down of the stone staircase, not a brick of this immense tower has been displaced. It was built by our townsman Mr Joseph Gascoyne, during his apprenticeship with the late Mr John Welch. The extent of the loss cannot at present be ascertained, but consists chiefly in the injury sustained by the building. It is thought that it will be necessary to take down and rebuild the upper part of the tower, but its present state is so dangerous, from the precarious situation of the impending fragments which remain within, as to render any examination of it impracticable.

#### DEATH OF LORD BYRON.

A courier has arrived in town, with the distressing intelligence of the de-



cease of Lord Byron, at Missolonghi, on the 17th of April, after an illness of ten days. A cold, attended with inflammation, was the cause of the fatal result. Lord Sidney Osborne's letters from Corfu are dated the 27th of April. His Lordship was about to proceed immediately to Zante, where the body had arrived.

The following is a translation of the proclamation which was issued by the Greek authorities at Missolonghi, to the grief of its inhabitants who were arrested in the celebration of their Easter festivities :—

*Provisional Government of Greece.*

"The present days of festivity are converted into bitter days of lamentation for all—

"Lord Noel Byron departed this life to-day, about eleven o'clock in the evening, in consequence of a rheumatic inflammatory fever, which had lasted for ten days.

"During the time of his illness, your general anxiety evinced the profound sorrow that pervaded your hearts. All classes, without distinction of sex or age, oppressed by grief, entirely forgot the days of Easter.

"The death of this illustrious personage is certainly a most calamitous event for all Greece, and still more lamentable for this city, to which he was eminently partial, of which he became a citizen, and of the dangers of which he was determined personally to partake, when circumstances should require it.

"His munificent donations to this community are before the eyes of every one, and no one amongst us ever ceased, or ever will cease, to consider him, with the purest and most grateful sentiments, our benefactor.

"Until the dispositions of the national government regarding this calamitous event be known, by virtue

of the decree of the legislature, No. 314, of date the 15th October,

"It is ordained,

"1. To-morrow, by sun-rise, thirty-seven minute-guns shall be fired from the batteries of this town, equal to the number of years of the deceased personage.

"2. All public offices, including all courts of justice, shall be shut for three following days.

"3. All shops, except those for provisions and medicines, shall also be kept shut; and all sorts of musical instruments, all dances customary in these days, all sorts of festivity and merriment in the public taverns, and every other sort of public amusement, shall cease during the above-named period.

"4. A general mourning shall take place for twenty-one days.

"5. Funeral ceremonies shall be performed in all the churches.

"A. MAUROCORDATO.

"GIORGIO PRAIDA, Secretary.

"Missolonghi, 17th April, 1824."

**DEATH OF LIEUT. HUME JOHNSTON,  
OF THE FURY DISCOVERY SHIP.**

Wednesday morning a most shocking occurrence took place on board the *Fury* Discovery vessel, lying off Deptford. Lieutenant Johnston having been promoted to the ship for the Northern Expedition, received from his brother on Tuesday night a double-barrelled gun. Previous to this time he had been entreated by his friends not to proceed with the expedition, but endeavour to obtain his discharge. His application had been forwarded to the Lords of the Admiralty, and Wednesday morning the answer was expected to arrive per post. The circumstance, however, seemed to weigh heavy upon his mind, and about seven o'clock in the morning, loading the gun which had been sent him by his brother, he

fastened the butt end in a sling, and attaching it to his foot, placed the muzzle in his mouth, and fired it off. The ball carried away the whole of the lower part of the mouth, and, passing through the back part of his head, scattered the brains in different directions. The officers and crew of the *Fury* flew to the assistance of their unfortunate friend, but life was totally extinct. Mr Carttar, the coroner, held an inquest on the remains. The witnesses who attended, were his brother officers, who spoke to his state of mind, and also of the perpetration of the dreadful act. They gave their decided opinion, that the unfortunate officer laboured under a depression of spirits, probably accelerated by the causes already stated, and the Jury unanimously returned their verdict, "That the deceased, Lieutenant Hume Johnston, destroyed himself, being at the time in a state of temporary mental derangement." The deceased was about thirty years of age.

— An inquest has also been held at the White Hart, Deptford-green, on the body of William Thompson, quarter-master of the *Griper* Discovery ship, before J. Carttar, Esq. who was found hanging in the lashing of

his hammock, at his lodgings, (Mrs Elliot's,) Deptford-green. It appeared upon the evidence of Mrs Elliot, the landlady, that about a quarter before twelve she went up to his room, and found him suspended by his jaw to one of the clues of his hammock. He was immediately cut down, and medical aid procured, but the spark of life was extinct.—Verdict, "Insanity."

#### MR HORNER'S MONUMENT.

Westminster Abbey has just received a very great ornament, in a monument to the memory of the late Francis Horner, Esq. by Chantrey. It is a single figure of white marble, placed on a square pedestal of the same material, and is situated in the west aisle of the north transept, against the pillar between the monuments of Eyre Coote and General Hope. Mr Horner is represented standing upright, in an earnest attitude, holding some papers in his left hand, and pointing to them with his right; his professional gown is open in front, so as to shew his dress, which is perfectly modern. On the front of the pedestal is the following inscription:—

To the Memory of  
FRANCIS HORNER,  
Who, by the Union of great and various Acquirements,  
With inflexible Integrity and unwearied Devotion  
To the Interests of the Country,  
Raised himself to an eminent Station in Society,  
And was justly considered to be one of the  
Most distinguished Members of the House of Commons.  
He was born at Edinburgh, in 1778,  
Was called to the bar both of England and Scotland;  
And closed his short but useful Life at Pisa, in 1817.  
His Death was deeply felt,  
And publicly deplored in Parliament.  
His affectionate Friends and sincere Admirers,  
Anxious that some Memorial should exist  
Of Merits universally acknowledged,  
Of expectations which a premature Death  
Could alone have frustrated, erected this Monument,  
A. D. 1823.

## MAY.

1st.—The King and Queen of the Sandwich Islands arrived yesterday at Osborn's Hotel, in the Adelphi, from Portsmouth, at which port they had landed from L'Aigle, Captain Starbuck. We understand that the object of the visit of their Majesties to this country is to make an offer of ceding their possessions to the Crown of Great Britain, and in return to demand its protection against all hostile attacks that may be made upon their territory. It is said that they have come to this determination in consequence of the menaces of the Russian cabinet; which, should they be put in execution, these islanders feel that they should not be able, single-handed, to resist. We were admitted to an interview with these royal strangers last evening, and lamented extremely that they were encumbered with the worst-informed interpreter it ever fell to our lot to converse with; for to judge from the countenances of the King and Queen, and their two attendants, which comprised the whole of the party in the room to which we were introduced, they were desirous of conversation; but in addition to his want of general information, we suspect this notable interpreter is in blissful ignorance of the language he is to expound, for we could not prevail upon him to put a single sentence even of common courtesy.

On our entering the room, the party were playing whist, the Queen having for her partner her female attendant, who is a daughter of one of the chief men of the islands, and his Majesty's partner was the governor of the island where the seat of government is held. The ladies were dressed in loose robes de chambre, of straw colour, tied with rose-coloured

strings, and on their heads they wore turbans of feathers of scarlet, blue, and yellow. The two males appeared in European costume, wearing plain black coats, silk stockings, and shoes. These islanders are of a very large size. We only saw them sitting; but judging of their height from that posture, we should say the men were above six feet, and exceedingly stout. The females were equally fat and coarse-made, and proportionably taller than the men. The whole party were of the darkest copper colour, very nearly approaching to black.

## PUBLIC DINNER TO PROFESSOR JARDINE.

5th.—On Wednesday the pupils of Professor Jardine gave a public dinner, in the Town Hall, Glasgow, to their much respected teacher, who, during a period of fifty years, has discharged the important duties of Professor of Logic in the University of Glasgow, with an eminence which has never in this country been surpassed. William Mure of Caldwell, Esq. in the chair; Viscount Glenorchy, croupier. About two hundred gentlemen assembled on this interesting occasion, many having come from distant parts of the country. The toast of the day was given, with the best effect, by the chairman, the earliest of Mr Jardine's pupils, and one of the warmest of his friends through life. The professor's reply was expressive of the utmost kindness for his pupils, while at the same time it contained a manly and animated statement of the rise and progress of that system of education which distinguishes his name.

Lord Glenorchy, Mr James Moncrieff, advocate, Principal M'Farlane, Principal Haldane of St Andrew, Dr M'Gill, Dr M'Lean, Dr Gibb, Dr Hodgson, Dr Scott of Greenock,

and other gentlemen, addressed the meeting.

**GRAND ROWING MATCH FROM OXFORD TO LONDON IN 16 HOURS, FOR 100 GUINEAS.**

This match, which has for some time created unexampled interest among the lovers of aquatic sports, and upon the issue of which many thousand pounds were depending, has been decided; and it is only justice to say, that it was a feat never equalled in the annals of aquatic sports. The wager was laid by Sir John Burgoyne with Captain Short, for 100 guineas (and not for 1000 guineas as erroneously stated.) The terms of the match were these: "That six officers of the 3d regiment of guards, belonging to aquatic clubs, should row in a six-oared wherry, from Oxford to Westminster-bridge, in sixteen consecutive hours—the time in the month of May, 1824." Captain Short, who knew the skill of the "Guard's Club," accepted the bet of the Hon. Baronet, and the gentlemen that kindly offered to aid him in winning his wager were Captains Standen, Hudson, and Blane; and Lieutenants Douglas and Westhenry, who, with himself, made up the six rowers. It was agreed that the rowers should choose their own coxswains, and that time should be kept by clocks previously wound up in London and Oxford. After taking in a little aquavivæ, sandwiches, &c. they started at one minute past three o'clock from Oxford, the morning being perfectly calm; the steersman, Isaac King, carried them to Bôlter's-lock, Maidenhead, which is half way; here they shipped Cannon, another coxswain, and on arriving at Teddington at half past four o'clock, where they took refreshment, they started with a third coxswain in high spirits, and full of confidence. At half past

six o'clock the wherry arrived at Battersea-bridge, the rowers completely knocked up, some of them almost bent double, and all of them much distressed. The tide was now in their favour, and having taken a little brandy, they appeared determined to conquer or die; and at a quarter before seven o'clock they arrived at Westminster-bridge, amidst the acclamations of thousands of spectators. Mr Sullivan, the boat-builder, towed them to Whitehall-stairs, and on their arrival there they were assisted out of the boat, and carried on shore, and put to bed. They were all in a state of exhaustion, and one or two could not stand without support. They declared that they should have arrived an hour sooner, if the wind had been in their favour. It is believed that not fewer than 15,000*l.* has changed owners by the event, of which sum Captain Short has won 1000*l.* Some of the best judges (even the coxswains) who knew every yard of the river from Oxford to Westminster, were taken in, the current bets being two to one against the performance of the match. The distance from Oxford to Westminster-bridge is 118 miles, and was rowed in fifteen hours and three quarters.

**GREAT PEDESTRIAN PERFORMANCE.**

14th.—Lloyd, the pedestrian, on last Friday evening completed his extraordinary and unprecedented match of walking 40 miles backwards each day for ten successive days. The sum wagered was only 50 guineas a-side; but bets to a large amount were pending; and in order to counteract any deception, umpires were chosen by the parties, and persons were appointed on the pedestrian's route. The road chosen was from the Lamb and Flag, Clerkenwell-green, through

Ilford, Hare-street, Romford, to Brook-street, Essex, being 20 miles out, and to return the same way on each day. On the 4th instant he commenced in high spirits, and continued performing his arduous undertaking, having much time to spare each day. The seventh day, when on returning through Ilford, he sprained his left leg, and had some difficulty in returning home. Betting in town was then 10 to 1 against him, and but few takers even at that, though he complained of a pain in his head. On the eighth day he was considerably interrupted from the immense clouds of dust, but on coming in he seemed to be much improved, and confident of success. The betting again turned in his favour. On the two last days he suffered severely from the continual rain, and he said, had he had to perform another day he must have given in from the severity of the weather, from which it was thought he never could complete the match. In consequence, the immense crowds who were anxiously waiting his return on Friday evening, were agreeably astonished on perceiving him return a considerable time even before he was expected. He did the match at the rate of  $2\frac{1}{2}$  miles an hour. The completion of this task can only be equalled by another undertaking, of which, however incredible, he feels confident of the result; as he offers 2 to 1 he will stand upon one leg for twelve successive hours.

#### DUEL BETWEEN MR BATTIER AND LORD LONDONDERRY.

An account of the late duel between Lord Londonderry and Mr Battier has been published by Colonel Hardinge. The main facts stated, are, that on Mr Battier's pistol missing fire, Lord Londonderry desired he might have another shot, which

was declined by Colonel Western on the part of Mr Battier. The latter having expressed his satisfaction, Sir Henry Hardinge said, that in Mr Battier's letter it was asserted, that Lord Londonderry denied having perused a letter conveying a censure upon the officers of the 10th, for their conduct to Mr Battier, although he (Mr Battier) knew that Lord Londonderry had seen the letter. On the part of Lord Londonderry, Sir Henry declared that the assertion was false. Mr Battier asked if it was meant to make him out a liar? Sir Henry observed to Colonel Western, that Mr Battier must have been misinformed, but that he could not qualify his expression, and that Lord Londonderry was ready to maintain his assertion by resuming his ground. Mr Battier inquired if it was intended to add fresh insult? If such were the case we had better go on. Sir Henry could only repeat his former expression that the assertion was false, and that it was for Mr Battier to take his course. Mr Battier said he referred it to Colonel Western. Sir Henry said they had better withdraw, and not be long, for fear of being disturbed. They withdrew (Colonel Western and Mr Battier) a few paces, for two or three minutes, and Colonel Western declared Mr Battier satisfied, and that they did not intend to carry proceedings any farther. The parties proceeded to their carriages, and returned to town.

Colonel Western, Mr Battier's second, died suddenly on Friday.

We are authorized by one of the parties to state, that Mr Battier sent a message to Sir Henry Hardinge on Sunday, requiring him to state that he did not, in his lately published statement, attribute to Mr Battier falsehood, but merely misinformation. Sir Henry refused any explanation on this point. Mr Battier's

friend then demanded a meeting for Mr Battier. This was also refused, and refused with insulting language. Sir Henry Hardinge desired Mr Battier's friend to take down in writing, that "he (Sir Henry) considered Mr Battier guilty of an infamous calumny; that he looked upon him as a calumniator, and unworthy of his notice." He added verbally, that he would meet any gentleman who would come forward for Mr Battier; but that he would not meet Mr Battier. On Tuesday, at about half past four o'clock, Mr Battier met Sir Henry Hardinge in the neighbourhood of Westminster, and going up to him, asked if he had really sent the insulting answer to his message as above described, and if he persisted in it as his final reply? To both these questions Sir Henry Hardinge replied, "Yes." Mr Battier then told him, that he had sent a gentlemanlike message, and that Sir Henry Hardinge's answer had been ungentlemanlike; that Mr Battier would not commit actual violence upon him, but that Sir Henry Hardinge might consider himself horsewhipped, (at the same time shaking his whip over Sir Henry Hardinge's shoulders,) and that Sir Henry Hardinge knew where to find him. Sir Henry Hardinge walked off, and did not, as stated in one of the morning papers, offer his card.

#### GENERAL ORDER,

"Horse Guards, May 13, 1824.

"The Commander-in-Chief having received a report from Lieutenant-General the Marquis of Londonderry, that his Lordship had accepted of a challenge to fight a duel with Ensign Battier, late a cornet in the 10th Royal Hussars, upon a point which his Lordship considered to be one of military duty, his Royal Highness has felt it incumbent upon him to submit

to the King a transaction at variance with the principles of subordination, and injurious to the discipline of the army; the King has consequently conveyed to his Royal Highness his Majesty's commands to express his Majesty's concern and displeasure that an officer of Lord Londonderry's high rank and military reputation, should have committed himself in personal collision with an inferior officer, by accepting a challenge for any supposed aggression proceeding from the exercise of his authority as colonel of the regiment:—And his Royal Highness has received his Majesty's farther commands, to caution colonels and commanding officers from falling into any similar error of conduct, which must tend to subvert all discipline and subordination, and therefore to destroy the efficiency of the army.—By his Royal Highness the Commander-in-Chief's command.

"HENRY TORRENS, Adj.-Gen."

#### DESTRUCTIVE FIRE.

17th.—Between Monday and Tuesday last, a very destructive fire took place at the farm of Easter Inchmichael, in the parish of Errol, Carse of Gowrie, possessed by Mr John Fenton; by which the whole steading has been completely destroyed, together with a considerable quantity of grain and straw, and the whole live stock in the houses, consisting of twenty-two horses, eleven cows, a bull, and a number of calves. How the fire originated, is not known. A servant went into a byre about eleven o'clock, to look after a cow, that was unwell, and it is supposed that a spark from the lantern she carried had communicated to the straw in the byre, or with a stack at the door of it, as the fire seems to have begun at that part of the steading. The fire had attained to an alarming height before it

was observed by the people on the farm. Mr Fenton was the first whose attention was drawn to it, by the noise made by the crackling of the flames and the unusual light, when he arose and went out, and gave the alarm to his servants. Mr Symon, mill-wright in the neighbourhood, in returning home to his house, also observed the fire, and gave the alarm at Errol, where the parish bell was rung, at half past twelve, and a number of people were aroused from their beds and repaired to Inchmichael, Mr Symon being the first who reached it. The fire had proceeded so far that it was in vain for the neighbouring farmers and their servants, &c. to attempt saving the steading. An endeavour was made to rescue some of the live stock; and a man got hold of one horse, which was near the door of the stable, but the terrified animal went backwards into the stall, and perished with its companions. Their views were, therefore, directed almost entirely to saving the grain in the stack-yard, and the dwelling-house. The whole live stock in the houses, even to the poultry, (with the exception of three hens,) fell a prey to the devouring element. The people assembled could not help viewing the scene of desolation with feelings of awe and horror; no less than thirty-five carcasses were drawn from the smoking ruins and laid on the green; some of the animals were dreadfully scorched, and had burst with the violence of the flames. Some of the horses had their shoes off, supposed to be from striking with their feet, under the pain they had suffered, as they had not been stilled so soon as is generally the case, from the stable being large and airy. The damage sustained is estimated at one thousand pounds for the stocking, exclusive of the firm steading. We are sorry to add that the property was not in-

sured; the farmer being to shift his insurance from one office to another, has been unprotected for the last two months.

#### AEROSTATIC EXCURSION.

26th.—Mr Harris ascended yesterday in a balloon, his own property, and constructed under his own immediate direction, from the gardens of the Eagle Tavern, in the City-road. The balloon was built at the Tennis-Court, in the Haymarket, and has been several months in preparation. It was called "The Royal George," this title being inscribed upon it in large gold letters. By half past three the gardens were nearly filled with well-dressed persons, amounting in number to at least one thousand, and the City-road and other avenues were pretty well crowded. About an hour before the ascent took place, a strong degree of interest was excited by an announcement from Mr Harris's committee to the company assembled in the gardens, that "a young lady would ascend with Mr Harris." The young adventuress soon after made her appearance in the grounds, accompanied by Mrs Harris and two other ladies, and several of the committee of gentlemen. She was dressed in a white muslin gown, straw bonnet, with a wreath of roses, and a small green shawl, and wore her hair turned back upon the temples, and braided. She appeared to be about eighteen years of age, of rather delicate frame and complexion, and her appearance altogether was extremely interesting. Her name is Stocks, but the rank or situation in life of her or her family was studiously concealed. She had only determined upon the adventurous flight about two hours before it took place. Everything being ready, Mr Harris went to the ta-

vern to escort his fair companion to her seat, and returned in a few moments with her leaning upon his arm, and preceded by a band playing a slow air. The committee, with several ladies, brought up the rear. The intrepid girl mounted the stage with but a slight appearance of fear in her manner, and was instantly greeted with the warmest cheers from the spectators. She curtsied in return, and Mr Harris having entered the car, the word was given for "the lady." Having received an affectionate farewell from several around her, she stepped into the car with firmness, and an unmoved countenance, and took her seat amidst the cries of "*Bravo!*" and loud clapping of hands. Mr Harris gave the word, and the cords being slipped, the immense vehicle ascended swiftly for a short distance, but suddenly stopped, and it was then discovered by the spectators that one of the four cords by which it was fastened to the earth had not been loosened from the pole, and that of course the balloon could ascend no further until the rope was unfastened. A general feeling of alarm prevailed for a few moments, which was increased by the apparently perilous situation of the aeronauts at that moment, for the violent check which the adhering cord gave to the balloon drew it into a position almost horizontal, and the young lady, whose end of the car was downwards, was seen clinging to the sides, and seemed with difficulty to keep her seat. There was a general cry of "Cut the rope, for God's sake cut the rope!" but this was prevented by those who had previously received their orders, until a signal was given by Mr Harris by the waving of his flag, and the rope was then severed in a moment, and the balloon, freed

from all restraint, ascended most majestically, the people below rending the air with their cheerings, and Mr Harris, and his fair and courageous companion, waving each a flag from the car. The balloon took a south-westerly direction, and pursued its course steadily for about seven or eight minutes, when it entered a thick cloud, and was lost to the view of earthly gazers.

A placard to the following effect was this morning exhibited in the window of the Eagle Tavern, City-road:—

"We are sorry to announce, that from the opening of the valve of the balloon too greatly, and not being able to close it, the aeronauts were precipitated from a great height most rapidly. Mr Harris was killed on the spot, and the lady, although much bruised, is alive and sensible. This awful occurrence took place by striking against a tree in Biddington Park, Surrey, on the estate of Mrs Gee.

"The young lady lies at the Plough, Biddington, in a very precarious state."

The above intelligence reached Mr Bond, the landlord of the Eagle Tavern, this morning by five o'clock, by a relative of the deceased's, who left Croydon at three o'clock this morning. The accident occurred about eight o'clock last night.

Mr Harris was a middle-aged man, and had served many years as a lieutenant in the royal navy, but had been latterly on half-pay. On entering half-pay he embarked into business as an upholsterer, and had only resigned his business a few months since, for the purpose of engaging in these aerostatic speculations, which have so soon proved fatal to him.



## JUNE.

## DESTRUCTIVE FIRE IN EDINBURGH.

24th.—This morning, about one o'clock, a fire broke out in a spirit-cellar, occupied by a man of the name of Gunn, opposite the Cross, in the High Street. In a very short time, the whole, consisting of six stories, was enveloped in flames; and the devouring element, notwithstanding every attempt made to subdue it, extended its ravages to the adjoining tenement, which formed the corner of the Parliament Close, and to the one beyond it in which the extensive premises of Messrs Bell and Bradfute were situated. Most providentially the fire was checked in its progress eastward, after it had actually communicated with the house in which the Advertiser-office is situated, without doing any material damage. About four o'clock in the morning, the front wall of the house where the fire originated fell inwards, in the form of an avalanche, commencing at the summit, with a prodigious crash. At this time a crowd of individuals, including Sheriff Duff, was stationed upon the street, immediately under the wall; and had the fall been outwards, the consequence must have been dreadful. The fire continued to rage with unabated fury till late in the morning, when the remaining house, which had been subjected to the combustion, exhibited a melancholy mass of ruins, from which volumes of smoke, intermixed with lurid flames, were perpetually ascending. Throughout the whole of Thursday, the fire in the corner-house, after smouldering a while, collected new strength, and burst out at intervals, which kept the fire-engines in constant operation; nor did their

exertions slacken until Friday; but even so late as Sunday evening, great bodies of smoke continued to issue from the ruins, and the engines continued occasionally to play upon them. By the intrepidity of several individuals, particularly of Mr Smith, bookbinder, and a young man of the name of M'Iriach, a number of the inhabitants of the consumed premises were aroused from a sleep, which would otherwise have been fatal to them, and conveyed to a place of safety. Insurances it seems had been effected upon the property to upwards of 14,000*l.*; but still the loss must be very extensive. The exertions of the firemen were conducted with sufficient zeal and activity; but there was an evident want of a co-operating principle, proceeding from an utter want of a controlling power over the different bodies of firemen. It is much to be regretted, that there is not a public officer paid for the express purpose of superintending the necessary arrangements upon such alarming emergencies. The different insurance offices, and the public, would do well to combine in defraying the expense of such an appointment. Nothing could excel the zeal and enterprise of Sheriff Duff, Bailies Waugh and Allan, the superintendent of police, and Lieutenant Stewart of the same establishment, who were upon the spot when the first warning was given, and continued exhorting, directing, and encouraging, and putting their own hands to the good work, until the danger was over. There was an ample supply of water during the whole time, and we observed no lack of zeal with the populace in supplying the engines with it. A number of soldiers of the 65th regiment were extremely serviceable in working the engines, and depredators were effec-

tually guarded against, by a detachment of that regiment, and a powerful body of policemen. It is remarkable, that the very same buildings were consumed by the great fire which broke out in the Meal Market in the year 1700, and which destroyed the whole houses on the east and south sides of the Parliament Close. The houses were then rebuilt; but they were reduced from nine to six stories in height, in obedience to an act of Parliament passed two years previously, having for its object the lessening of danger from fire.

The premises, in their upper parts more especially, are occupied by the labouring classes, who, being seldom insured, are by accidents of this nature plunged into a state of the greatest destitution. As the fire spread, many were enabled to remove some parts of their furniture and effects, which they deposited in the Parliament Square. The scene here throughout the day was most distressing; numbers of individuals, now without a house, were seen in the most anxious state, watching over the little property that they had been able to save from the general ruin. Among those were some infirm old women and children, which completed this picture of misery. A considerable sum of money was gathered for the relief of those unfortunate persons.

The whole of Sunday, although it rained the greater part of the day, the High Street opposite the burnt houses was crowded with people, chiefly from the country, contemplating the devastation. The engine stationed there played upon the ruins at different times during Sunday, the flames having burst forth from the wood in the shop of Messrs Syme and Tait.

Besides the Old Church, which

was shut up as a temporary depot for the property removed from the burnt buildings, and those in the vicinity of the fire, the magistrates very properly caused the High Church to be shat, to prevent accident, in case of any of the shattered walls giving way during divine service.

On Monday morning workmen began to take down the skeletons of the two tenements which the fire had left, and one of the engines still remained on the spot in case of farther alarm.

Alexander Chalmers, city-officer, who resided on the second flat of the house where the fire commenced, upon the alarm being given, succeeded in removing his wife, with a blanket about her, and his family of seven children without any of their clothes; but, being anxious to recover some papers that were of consequence, he endeavoured to return to his house, when, the flames seizing upon his clothes, before they could be extinguished, he was dreadfully scorched about the face, arms, and breast. He was carried to the Royal Infirmary, where he died on the Sunday morning following.

#### ASCENT OF MR W. SADLER, AND MR CAMPBELL OF SADDLE.

28th.—This morning the public of Edinburgh were on the tiptoe of expectation, by the promised ascent of Mr Sadler's balloon. The magnificent machine, which is capable of containing 28,000 cubic feet of gas, was placed in Heriot's Hospital green, at eight o'clock; and the certainty of its ascending, was confirmed by the display of a union jack on the hospital at the same hour. There might have been a few misgivings upon the subject, owing to the state of the weather, but the day gradually

brightened, and before the hour announced for the ascent, all the eminences in the city and its vicinity were thronged with an anxious multitude. The work of inflation commenced about half past eight o'clock, and in the course of less than twenty minutes it attained its proper form of a cone. About two o'clock the activity of the preparations became very perceptible, and soon after that hour, the cords which suspended the balloon were cast away, and a number of men were employed to hold the net-work, to which sixty fine bags, each containing eight pounds of sand, were attached. From eight o'clock in the morning, till half past two, no less than four pilot balloons were let off, in order to ascertain the state of the atmosphere. Before three o'clock, it was removed about fifty feet nearer to the hospital, when Mr Sadler appeared, dressed in a black cap, jacket, and trowsers, and commenced attaching the cords of the net-work to the hoop, and the car to the balloon. In the car he placed a flask of wine and a few biscuits, grappling-irons, barometer, &c. At three o'clock he took his seat in the car, and was followed by a gentleman, who resigned his place to Mr Campbell of Saddel, who, if report is to be believed, paid a handsome fare for his aerial excursion. Mr Campbell being a man of weight, rather disturbed the due equilibrium; but that being restored, the balloon was let loose, and rose most majestically, the military band playing "God save the King." For a few seconds it took a southerly direction, then a westerly, on which it reached the higher regions of the air, when it went due east over the city. When it came above Leith it descended considerably, and continued declining until above Inchkeith, when it was observed that a quantity of ballast was

thrown out; soon after which, the balloon probably attained its greatest elevation. It then proceeded steadily up the Frith, passing the guard-ship, and afterwards took a north-eastward direction towards Elie, upon the Fife coast, at some distance from which, in a field belonging to Mr Balfour of Bankhead Farm, the aeronauts landed in safety, at two minutes past five o'clock, having consumed exactly two hours in their daring excursion. The balloon was visible from Edinburgh during one hour and thirty-eight minutes of that period. There were a great many scientific gentlemen in Heriot's Green to witness the ascent, but the company was far from being numerous. It is honourable to the cause of science, that all the gentlemen of scientific acquirements in Edinburgh were actively employed in collecting contributions for the adventurer. It had been arranged with Sir Thomas Bradford, that sixpence should be collected from each person who took his station upon the Castle Hill, a charge which no one would have objected to. But after one o'clock the barricade erected was forced, and the populace were admitted promiscuously. So great was the pressure, that one young gentleman fainted, and was carried out to a place of safety.

We give the following interesting account of the voyage, drawn up by Mr Sadler himself:—

"On ascending from Heriot's Green, we took a westerly direction, until we had risen about 700 yards. Here we entered a current blowing from southwest, which brought us back over the hospital, and bent our course to the Frith. At the moment I discovered how the currents lay, I was fully satisfied that we could effect our descent anywhere between the east coast of Fife and its northern extremity. My

companion was particularly struck with the beautiful scenery and magnificent prospect beneath us, which quite exceeded all his expectations, and was completely different from anything he had anticipated. At twenty-three minutes past three, we came directly over the harbour of Leith. When just entered on the margin of the Frith, the barometer stood 28 deg. and the thermometer 60. At twenty minutes we were passing perpendicularly over a vessel, and several guns were discharged at this moment. At eighteen minutes to four, the balloon having descended to the lower current, a considerable share of gas was allowed to escape, and we were then carried up the Forth as far as the flag-ship, when we again descended so low as to be enabled to converse with several boats' crews, who seemed inclined to follow in the direction of the balloon (probably with the view of rendering assistance in case a descent had been made on the water.) A small quantity of ballast was now thrown out, and the balloon rose again to the upper current, where I determined to remain and direct our course at once across to the coast of Fifeshire. We passed the island of Inchkeith, a little to the northward, at five minutes to four, and heard loud cheers from several voices on the island, along with the report of a gun. Here we drew a bottle and filled a bumper to our absent friends. At one minute past four, a second gun was fired from a steam-boat which left Kirkaldy; and at half past four, in skirting down the coast, at the same time slightly approaching it, we could observe crowds of people gazing, along the different villages. At seven minutes to five, we arrived right over Leven, a small fishing harbour on the coast. I resolved here to make our descent; and, ac-

cordingly, at two minutes past five, we effected our landing in a field belonging to Mr William Balfour, of Bankhead Farm, lying in the parish of Leven and shire of Fife."

The first individual who offered any assistance, was Miss Ann Balfour, the daughter of the above gentleman, who instantly ran forward, and caught the grappling-iron in her arms, notwithstanding the loud cries of the aeronauts, who were apprehensive lest she might sustain injury from an undertaking where considerable strength was required. The spirit of this young lady was the more astonishing, as she had just recovered from a severe illness, and was at the time close by a number of stout countrymen and women, who, whether from fear or disinclination, manifested no intention to assist.

It is somewhat remarkable that the spot of this descent is just about eight miles from the place where Lunardi arrived thirty-seven years ago, and that three weeks ago, when Mr Sadler ascended from Chester, he arrived at the precise spot which that famous aeronaut was said to have descended at when he went up from that town.

A chaise and four having been procured near the place of their landing, they proceeded, after taking a little refreshment, direct to Petticur, whence they plied in a ferry-boat, with the utmost speed, to Newhaven. There a chaise and four was again obtained from Leith, which brought them, together with the balloon, safe to town.

#### LOSS OF THE SHIP FAME.

Extract of a letter from Sir Thomas Stamford Raffles, dated Bencoolen, February 4, 1824 :—

"We embarked on the 2d instant,

in the Fame, and sailed at daylight for England, with a fair wind, and every prospect of a quick and comfortable passage. The ship was everything we could wish, and having closed my charge here much to my satisfaction, it was one of the happiest days of my life. We were, perhaps, too happy, for in the evening came a sad reverse. Sophia had just gone to bed, and I had thrown off half my clothes, when a cry of 'Fire, fire!' roused us from our calm content, and in five minutes the whole ship was in flames! I ran to examine whence the flames principally issued, and found that the fire had its origin immediately under our cabin. Down with the boats; where is Sophia? here; the children? here; a rope; the side; lower Lady Raffles.—Give her to me, says one.—I'll take her, says the Captain. Throw the gunpowder overboard; it cannot be got at; it is in the magazine, close to the fire!—Stand clear of the powder. Skuttle the water-casks. Water! water!! Where's Sir Stamford? Come into the boat, Nelson! Nelson! come into the boat. Push off; push off; stand clear of the after-part of the ship.

"All this passed much quicker than I can write it; we pushed off; and, as we did so, the flames were issuing from our cabins, and the whole of the after-part of the ship was in flames; the masts and sails now taking fire, we moved to a distance, sufficient to avoid the immediate explosion, but the flames were now coming out of the main hatchway, and seeing the rest of the crew, with the Captain, &c. still on board, we pulled back to her under the bows, so as to be most distant from the powder. As we approached, we perceived that the people from on board were getting into another boat on the opposite side;

she pushed off, we hailed her, have you all on board?—Yes, all save one.—Who is he?—Johnson, sick in his cot.—Can we save him?—No, impossible.—The flames were then issuing from the hatchway; at this moment the poor fellow, scorched, I imagine, by the flames, roared out most lustily, having run up on the deck.—I will go for him, says the Captain.—The two boats then came together, and we took out some of the persons from the Captain's boat, which was overladen. He then pulled under the bowsprit of the ship, and picked the poor fellow up.—Are you all safe?—Yes, we've got the man; all lives safe, thank God; pull off from the ship; keep your eye on a star, Sir Stamford; there's one barely visible.

"We then hauled close to each other, and found the Captain fortunately had a compass, but we had no light but from the ship. Our distance from Bencoolen we estimated to be from twenty to thirty miles in a S.W. direction; there being no landing-place to the southward of Bencoolen, our only chance was to regain that port. The Captain then undertook to lead, and we to follow in a N. N. E. course as well as we could. No chance, no possibility being left that we could again approach the ship, for she was now one splendid flame fore and aft and aloft, her masts and sails in a blaze, and rocking to and fro, threatening to fall in an instant. There goes her mizen-mast; pull away, my boys; there goes the gunpowder; thank God!

"You may judge of our situation without farther particulars; the alarm was given at about twenty minutes past eight, and in less than ten minutes she was in flames; there was not a soul on board at half past eight, and in less than ten minutes after-

wards she was one grand mass of fire.

"My only apprehension was the want of boats to hold the people; as there was not time to have got out a long boat, or make a raft, all we had to rely upon were two small boats, which fortunately were lowered without accident; and in these two small open boats, without a drop of water or grain of food, or a rag of covering, except what we happened at the moment to have on our backs, we embarked on the wide ocean, thankful to God for his mercies. Poor Sophia having been taken out of her bed, had nothing on but a wrapper, neither shoes nor stockings; the children were just as taken out of bed, whence one had been snatched after the flames had attacked it. In short, there was not time for any one to think of more than two things.—Can the ship be saved? No; let us save ourselves, then; all else was swallowed up in one great ruin.

"To make the best of our misfortune, we availed ourselves of the light from the ship to steer a tolerably good course towards the shore; she continued to burn till about midnight, when the saltpetre, of which she had 250 tons on board, took fire, and sent up one of the most splendid and brilliant flames that ever was seen, illumining the horizon in every direction, to an extent of not less than fifty miles, and casting that kind of blue light over us, which is of all others most luridly horrible. She burned and continued to flame in this style for about an hour or two, when we lost sight of the object in a cloud of smoke.

"Neither Nelson, nor Mr Bell, our medical friend, who had accompanied us, had saved their coats; the tail of mine, with a pocket handkerchief, served to keep Sophia's feet warm;

and we made breeches for the children with our neckcloths. Rain now came on, but fortunately it was not of long continuance, and we got dry again—the night became serene and star-light. We were now certain of our course, and the men behaved manfully—they rowed incessantly, and with good heart and spirit, and never did poor mortals look out more for daylight and for land than we did. Not that our sufferings, or grounds of complaint, were anything to what has often befallen others, but from Sophia's delicate health, as well as my own, and the stormy nature of our coast, I felt perfectly convinced we were unable to undergo starvation and exposure to sun and weather many days, and, aware of the rapidity of the currents, I feared we might fall to the southward of the port.

"At day-light we recognized the coast and Rat Island, which gave us great spirits; and though we found ourselves much to the southward of the port, we considered ourselves almost at home. Sophia had gone through the night better than could have been expected, and we continued to pull on with all our strength. About eight or nine o'clock we saw a ship standing to us from the Roads; they had seen the flame on shore, and sent out vessels in all directions to our relief, and here certainly came a minister of Providence, in the character of a minister of the gospel, for the first person I recognized was one of our missionaries. They gave us a bucket of water, and we took the captain on board as a pilot. The wind, however, was adverse, and we could not reach the shore, and took to the ship, where we got some refreshment, and shelter from the sun. By this time Sophia was quite exhausted, fainting continually. About two o'clock we landed safe and sound; and

no words of mine can do justice to the expression of feeling, sympathy, and kindness with which we were hailed by every one. If any proof had been wanting that my administration had been satisfactory, here we had it unequivocally from all ; there was not a dry eye ; and as we drove back to our former home, loud was the cry of ' God be praised !'

" But enough ; and I will only add, that we are now greatly recovered, in good spirits, and busy at work in getting ready-made clothes for present use. We went to bed at three in the afternoon, and I did not awake till six this morning. Sophia had nearly as sound a sleep, and with the exception of a bruise or two, and a little pain in the bones from fatigue, we have nothing to complain of.

" The property which I have lost, on the most moderate estimate, cannot be less than 20,000*l.*, I might almost say 30,000*l.* But the loss which I have to regret beyond all, is my papers and drawings, all my papers of every description, including my notes and observations, with memoirs and collections, sufficient for a full and ample history, not only of Sumatra, but of Borneo, and every other island in these seas ; my intended account of the establishment of Singapore ; the history of my own administration ; grammars, dictionaries, and vocabularies ; and last, not least, a grand map of Sumatra, on which I had been employed since my first arrival here, and on which, for the last six months, I had bestowed almost my whole undivided attention ; this, however, was not all—all my collections in natural history, and my splendid collection of drawings, upwards of a thousand in number, with all the valuable papers and notes of my friends Arnold and Jack ; and, to conclude, I will merely notice, that there was scarce

an unknown animal, bird, beast, or fish, or an interesting plant, which we had not on board. A living tapir, a new species of tiger, splendid pheasants, &c. &c. all *domesticated* for the voyage. We were, in short, in this respect, a perfect Noah's Ark. All—all—has perished ; but, thank God, our lives have been spared, and we do not repine.

" Our plan is to get another ship as soon as possible, and I think you may still expect us in July. There is a chance of a ship, called the Lady Flora, touching here, on her way home, and there is a small ship in the roads, which may be converted into a packet, and take us home, as I have a captain and crew at command."

#### REMAINS OF LORD BYRON.

Deal, June 30.

The brig Florida, from Zante, passed the Downs this morning for Sandgate Creek, having on board the remains of the late Lord Byron.

#### JULY.

LONDON.—The King and Queen of the Sandwich Islands have been both attacked by measles and inflammation of the lungs, which unhappily produced fatal consequences. The King departed this life a few days after his Queen. Their bodies have been embalmed according to the custom of the Sandwich Islands. Government has given orders for every respect being shewn to their remains, in their conveyance to Owyhee ; for which purpose the Blonde frigate, Lord Byron, captain, at Woolwich, is ordered to receive them, together with the admiral and suite, and proceed to that island.

10th.—EDINBURGH. On Monday the election of a Peer, to sit in Parliament as one of the sixteen representatives of the Scottish nobility, in room of William, late Marquis of Lothian, took place at the Palace of Holyrood-house. Their Lordships were attended by the Lord Provost and Magistrates of the city, Sir Walter Scott, Bart. and Colin Mackenzie, Esq. two of the principal Clerks of Session, who officiated as deputies of the Lord Clerk Register of Scotland; the Rev. Dr Inglis and Dr Grant, Deans of the Chapel Royal. Dr Inglis having opened the business with an appropriate prayer, Mr Mackenzie called over the Union Roll of the Scots Parliament, when there appeared—

## PRESENT.

Earl of Morton,	Lord Napier,
Earl of Elgin,	Lord Nairne.
Lord Torphichen,	

Upon the title of Marquis of Annandale being called, Stewart Souter Johnstone, Esq. answered, and stated his claim to that title as lineal male descendant of Sir Adam Johnstone, from whom also the last Marquis was descended, and having taken his seat along with their Lordships, subsequently voted with them when the roll was called for that purpose.

When the name of the Earl of Mar was called, Lord Nairne presented a protest in name of that nobleman, against placing his name in its present situation on the roll. Sir Walter Scott said, it still occupied the same place in which they had found it on the Union Roll. The protest was received, and entered on the record.

Lord Nairne also presented a proxy commission from the Earl of Mar, authorizing him to vote for his Lordship.

The following noblemen voted by signed lists :—

Duke of Gordon, Duke of Montrose, Marquis of Queensberry, Earl of Moray, Earl of Home, Earl of Kellie, Earl of Haddington, Earl of Glasgow, Earl of Portmore, Viscount Arbutnot, Lord Forbes.

A signed list was also transmitted by Lord Elbank to vote for Lord Napier, which was rejected on account of an informality in the document.

The names of the Peers present having been called over, they all voted for Lord Napier. The signed lists being examined, were also all found to be in favour of his Lordship. Lord Nairne having likewise given his vote as proxy for the Earl of Mar in favour of the same nobleman, and the claimant of the titles of Annandale having voted for him, Lord Napier's election was declared to be unanimous, and the clerks certified the same to the High Court of Chancery.

Lord Napier, on his election being declared, rose and returned thanks to the other noblemen around him for the high honour which had just been conferred on him, in choosing him as one of their representatives in the British Parliament, where, he assured them, it would be his constant endeavour to support the glory and independence of the Peerage of Scotland. The noble Lord hoped, that, on this occasion, it would not be out of place when he saw a nobleman before him who had just had restored to him the honours of an ancient family, and who held in his hand a proxy for a venerable and illustrious relation who had experienced the like gracious courtesy, to congratulate them and the other Peers who have been permitted to resume their honours. His Lordship said, that in restoring the privileges of these noble families, his Majesty had conferred



an act of favour, not merely on these individuals themselves, but upon the whole people of Scotland, and he hoped they would transmit to the latest posterity, with unsullied lustre, those titles they had received in right of their ancestors.

Lord Nairne, in his own name, and in behalf of the other Peers just restored to their dignities, returned thanks to the gallant nobleman (Lord Napier) for the handsome manner in which his Lordship had spoken of them.

The proceedings were closed with prayer by Dr Grant. The day being fine, the audience was more numerous than usual, excepting at general and contested elections.

#### MONUMENT TO THE LATE MR WATT.

A meeting of the inhabitants in Edinburgh was held here, to take into consideration the propriety of erecting a monument, in Scotland, to the memory of Mr Watt. Mr Cockburn, with whom the idea originated, explained, in the following manner, the motives which had led him to suggest it:—

“I am aware of the efforts (and most honourable they are, to those who have made them) that have lately been witnessed in England, to erect a monument in Westminster Abbey or St Paul’s, to this distinguished man; and some may imagine that this object of ours is inconsistent with the success of that; but I trust that it will not prove so, and I can safely say that I am certain that there is no such thing in view. Nothing can be more appropriate or more irresistibly natural, than that some memorial of Mr Watt should be placed in one of those great cemeteries of departed national greatness; and I should think

that Westminster Abbey or St Paul’s would be robbed of their rights if no such memorial should be erected in either of them. But there are two reasons why I think it is perfectly consistent with that object, that we should resolve to erect a monument to his name in his own country. And in the first place, because this is his country; I think, as it is our duty to encourage similar extraordinary exertions, it is *a fortiori* correct that we should endeavour to exhibit to Scotsmen, throughout all ages, what are the ultimate rewards of genius and industry. I do not like the idea that strangers, after admiring the works of Watt, should say that they have traversed his native land, and found no monument to his memory. In the next place—and I confess to you that I am not sure but that this reason, more than the other, has exerted an influence on my mind—I look not exclusively to the monument of Mr Watt, which is to be placed in a situation that is not accessible to the great body of the people. We have no right to discuss, and it is the farthest from my intention to impeach, the system according to which the monuments are superintended at Westminster Abbey and St Paul’s; but we all know that they are only to be approached upon payment of a sum, which, however trifling, practically amounts to the total exclusion of the lower orders from beholding them. And, to my mind, there is something in the payment of a base paltry fee, that is quite inconsistent with those ennobling feelings with which men ought to muse over the illustrious dust which reposes in that great depository of the genius, science, and virtue of the nation. I am, therefore, clear that we should have an open day-light monument to the memory of Mr Watt, which can be explored

by all—that their hearts may be stirred, and their ambition excited, by the contemplation of such a tribute. The man whose mind I wish most to awaken is that of the operative mechanic, who should be able to view this structure as he is walking along the streets in the dress and with the implements of his calling. It is impossible that this object can be attained by any other means, as I think, than by the erection of an architectural edifice. Besides, such an edifice would be erected at even less expense than if we had recourse to the finer art of statuary, which could not be rendered so useful. Another consideration which is connected with an architectural edifice is, that while it will tend to perpetuate the memory of this individual, it will contribute to adorn the metropolis of Scotland—to add to the splendour of that city which it has long been, and I trust will ever continue to be, our pride and our ambition to make the most magnificent and most beautiful of the empire. I have alluded to one use to which such a building can be applied, and shall venture to specify other uses to which it may be converted, and which, I am sure, if the departed spirits could hold any communion with the transactions of their friends on earth, would, of all others, meet the liberal and enlightened mind of Watt. Since that man's death, the phenomenon has appeared of philosophy struggling to rescue the mechanic population from that degradation which was the consequence of exclusively educating them in the mechanical arts, and that knowledge has been bestowed upon the lower orders of almost every manufacturing town in the kingdom by the School of Arts. These, and similar institutions, under the auspices of all parties, and of every sect—but all concurring in the wish to elevate the lower orders,

had sprung up in every quarter of the land; but this is not the place for me to dilate upon the merits of such institutions. The manner in which that institution is conducted in this city, was, I believe, the example and the model of all the rest; and I am sure that if you combine with an architectural edifice calculated to ornament the city, the idea of making it a house of instruction to the lower classes of the population, there could be no application of the money that would hand down to posterity the name of Watt in a more interesting manner, or in a manner more consistent with the principles and character of that liberal and enlightened man."

Resolutions in the spirit of Mr Cockburn's speech were unanimously agreed to, and a liberal subscription commenced.

*From the Constitutionnel of the 12th of July.*

A brochure has been published here, giving a detailed account of the rape and assassination committed by Mingrat, ex-curate of St Quentin, (department of the Isere,) who was condemned to death, (as contumax,) by the Court of Assize of Grenoble, the 9th of December, 1822. The following are the principal facts:—Mingrat, a man of low extraction, was, at the age of 28, named to the curacy of St Quentin. He had not been long in the situation when some strange stories began to circulate respecting him. Some scandalous and criminal adventures were laid to his account, and neither his tone nor his manners were calculated to discredit these rumours. He was a man of lofty stature, with a sombre, false, and disdainful expression of countenance. He was possessed of immense strength, and has been seen to carry

on his shoulders, from one part of the church to another, a heavy wooden confessional, which generally resisted the force of two ordinary men to move. With the strength of a giant, he had also the passions and arrogance. However, as an element of success in his profession, he affected a great rigorism in his sentiments and conduct, interdicting and discountenancing, as much as in him lay, the amusements and recreations of his parishioners. At a quarter of a league from St Quentin, in the Hamlet of Get, lived Etienne Charmalet, a disbanded soldier, whose wife, Marie Gerin, was remarkable for her beauty. The curate Mingrat, who had been inflamed by the charms of the soldier's pretty wife, called one day at the cottage, and told Marie Gerin when she came to St Quentin, to call upon him, as he should have to charge her with a letter for the curate of her village. Even at this early period he commenced his criminal designs, by engaging Marie to listen to some pretended pious discourses, which he read to her in the most impassioned manner, but which he only used as a pretext to make a most warm and amorous declaration of his passion for her. Marie, though astonished by his vivacity and agitation, did not understand his object, but attributed the state of excitation he was in to the fervour of his piety. This circumstance was proved on the trial by a young man who had been listening outside the window to the mystical declarations of Mingrat. A few days after this, Marie went to St Quentin, and entered the church about six o'clock in the evening. On seeing Mingrat, she saluted him respectfully, and said she came to confess to him. He, on some pretext or other, got her into the presbytere where he lived, adjoining the church. There, it appears, he consummated the dou-

ble crime of violation and assassination, in doing which he must have gagged the mouth of his victim, as low, inarticulate, and stifled moans were heard by his servant-maid. The marks of strangulation were found upon the neck of the unfortunate woman. The servant, attracted by the stifled moans she heard, came to Mingrat's room-door, and found it fastened on the inside, and thinking that he might have fallen into a fit, she knocked and called to him to open it, but received for answer an order to return instantly to the kitchen. When he had at length come out of his room, she ran to meet him, saying, "Oh, sir, you have frightened me dreadfully; I thought that you were dying." To which he replied, in a bewildered and furious manner, "Hold your tongue; you are an idiot;" and to get her out of the way, he told her to take the newspaper to one of his neighbours. But the servant, whose curiosity was awakened, only pretended to obey, and fortunately for the discovery of the crime, remained in the house. Having spoken to some of the neighbours of what she had heard, a vague rumour got abroad, and, in a short time, the husband of Marie came to the presbytere to inquire after his wife. On his knocking, Mingrat himself opened the door, and stood so in the passage as to prevent the husband from entering. He first denied having seen Marie, but afterwards on the husband insisting, he pretended to recollect that he had seen her in the church, but had refused to listen to her confession, on account of the negligence and disorder of her dress. He then led the husband down the churchyard away from the house, and, after a moment's conversation, abruptly quitted him and returned to the presbytere. He ordered the servant, who did not sleep in the house, to go away, with-

out giving her time to clear away the supper. Then, not supposing that he was watched, he set about disposing of the body of his victim. He tied the hands and feet, and attaching a rope to the neck, he lowered the body out of the window into a back-yard; he then went round to this yard, and taking hold of the rope, he dragged the body after him to a rising ground, called La Roche. The head, as it bounded over the stones, for the ground was uneven and rocky, left behind portions of hair and flesh which were collected the next day, and brought forward as proofs of the horrid deed. He had, previously to lowering the body, stripped it, and left the clothes behind, with the exception of a neckerchief, which he brought with him for a purpose we shall see by and by. On reaching the spot called La Roche, it appears the thought first struck him of cutting the body in pieces, (for he had made no previous preparations for this dreadful operation,) and he then attempted to do it with a small pocket knife, but in endeavouring to separate one of the arms at the shoulder, the blade turned and became useless. The blood spouted from the wound in great abundance, and covered this reverend demon's face and clothes. Foiled in his purpose, he seemed to become delirious from disappointment and fear, and tying one of the feet of his victim to a tree, he exerted all his Herculean strength to tear the body, limb from limb, but failing in this, he returned to the house for a more fit instrument for dissection, the kitchen hatchet or cleaver. With this instrument he separated the thighs from the trunk, and threw them into a rapid stream that discharges itself into the Isere. He then lifted the mutilated trunk upon his shoulders, with which he hastened towards the Isere, into which he plunged it. He

then deposited on the river side the neckerchief of poor Marie, in order to make it supposed that she had drowned herself. On returning to his house he burned the clothes of the murdered Marie, together with his own clerical robe, which was actually stained with blood, and threw the ashes into the privy. On reflecting if he had removed all traces of the crime, he recollected, with dismay, that he had left the pocket-knife behind him; he immediately returned to the spot, but after the most minute search he could not find it. The knife, which was produced at the trial, had already been found by a labourer, who at the break of day was passing La Roche, and had his attention caught by a pool of blood, a bloody rope, and a black-handle knife lying by it. The knife he took up, but fearing it might bring him into trouble, he threw it into a bush. However, after going some distance, he returned, took up the knife a second time, washed it, and took it home with him. When Mingrat's servant-maid appeared before him in the morning, she was pale, trembling, and bewildered. Mingrat, alarmed by her appearance, asked her abruptly what was the matter with her. The poor girl thought in vain to convince him that she had seen or heard nothing, except a few moans, which she supposed proceeded from himself being ill. The curate, however, continuing to question her, the girl's fears got the better of her, she threw herself upon her knees, and joining her hands, exclaimed, in the most supplicating manner, "Oh, sir, permit me to go away; I can no longer bear it!" This exclamation was a thunder clap for the curate; he clearly saw that this weak-minded, superstitious, but honest creature, was mistress of his life and secret. He got between her and the door; and, after a few

moments reverie, he seized her by the arm, and dragged her into the sanctuary, forced her down upon her knees on the steps of the altar, and then, taking from the tabernacle the host, he put it into her hands, telling her she should either make up her mind to die, or take a most solemn oath upon the body and blood of Christ, never to reveal what she had seen or heard on the preceding night. The unfortunate girl, half-dead with fear and horror, took the oath prescribed. After this extraordinary scene Mingrat resumed his tranquillity. However, some days after, as some young shepherds were fishing in the stream which flows into the Isere, one of them, on drawing up his line, found a human thigh attached to it. Alarmed at such a sight, they flew towards the village and told what had taken place. The authorities repaired to the spot, the thigh was recognized to be that of a young woman, and there was, of course, no longer any doubt as to Marie Gerin having been murdered. As public opinion pointed out Mingrat as the assassin, he resorted to a last effort to remove suspicion from him. The authorities had ordered the thigh to be buried in the churchyard. Mingrat repaired thither, and ordered the thigh to be removed, saying it should not rest in consecrated ground, for Marie Gerin had committed suicide, and then, affecting to fall into a state of fanatical excitement, he exclaimed, "Yes, I saw that she was possessed by the devil!—Yes, by Satan, who carried her away in his arms, and plunged with her into the abyss of hell!" Those present could not contain their indignation, but cursed and hooted this hypocritical ruffian. The next morning, while Mingrat was at breakfast, two *gens-d'armes* entered; they were not charged to make him prisoner, but merely to watch his

motions. He appeared dreadfully alarmed, but endeavoured to conceal it, and invited them to partake of his breakfast. Before breakfast was over the vicar of Zullin came in, and brought a letter from his curate to Mingrat on the subject of the murder. The concluding words of this letter were:—"The murmurs afloat respecting the assassination of the woman weigh heavily upon you—if you are guilty fly instantly." Mingrat took the advice and fled. The mayor sent the *gens-d'armes* in pursuit of him, but Mingrat got over the frontier into Savoy before they could take him. They, however, gave a description of his person and crime to some Piedmontese carbineers, into whose hands he shortly after fell, and was conducted to the prison of Chamberry, from whence he has been transferred to the fortress of Fenestrella. The Sardinian government have constantly refused to deliver him up, though he has been condemned to death by the tribunal of Grenoble. The trial was heard with closed doors—a rather remarkable circumstance. A grand vicar of Grenoble went to visit him in the prison of Chamberry. On Mingrat seeing him, he threw himself at his feet, and exclaimed, "Ah, father! I am guilty, pardon me!" This public avowal was not at all relished by the grand vicar, who immediately ordered those present to retire, when he had a tête-à-tête with the worthy curate. This grand vicar ran no little risk on his return to Grenoble; for the people supposing that he had brought back Mingrat for the purpose of delivering him up to the law, attacked the vicar's carriage, determined to do justice upon him themselves.

14th.—The metropolis was visited with one of the most severe storms of thunder and lightning ever witnessed. It commenced about nine o'clock,

when the lightning flashed every instant, the thunder pealed, and the rain descended in torrents. The lightning was peculiarly vivid, and many of the flashes had the appearance of a vast sheet of sulphureous flame. The storm continued for upwards of three hours, though the rain had ceased for some time; but about twelve o'clock it fell in such torrents that it resembled one continued stream of water. In the east part of London much damage was done by the rain. In different parts of the country much serious mischief has also been done. In Essex the storm happened about half-past one or two o'clock in the day. Its approach was terrific in the extreme. Little opportunity was given either for man or beast to escape its fury. The latter were so agitated as to be ungovernable. Poultry in the yards, and upon Takeley Forest in particular, were killed instantaneously. The weight and size of the hail, or pieces of ice, which were generally of a long round form, were various; some were picked up that measured seven inches in circumference. At Walsham two trees were shivered by the lightning, and the cellars were filled with water to the depth of many feet. A fire-ball fell at Rickinghall, and the house of Mr Smith, butcher, was also struck by the electric fluid, which passed down the chimney, and knocked down the man and two children in the room.

— About ten or twelve days back, as Mr Edward Hales, of London-wall, was returning to town from Epsom, he stopped at a public-house to get a draught of ale, and, whilst in the house, he heard a shouting on the road, which made him hasten to the door lest the horse, which happened to be rather skittish, should run off with the gig. When Mr Hales came

out, he immediately discovered that the shouts proceeded from a number of persons chasing a large dog that had bitten two labourers in an adjoining farm-yard; by this time the animal was close at hand, and the horse, terrified by the increasing noises, became completely unmanageable, and darted into the middle of the road just as the dog came by, which, snapping at everything likely to impede its headlong course, unfortunately seized Mr Hales by the left leg, and notwithstanding that he wore boots, inflicted a very severe and painful wound. On recovering from his fright, he washed the part with spirits, and applying a bandage, returned home and thought nothing more about the matter for four or five days, when the leg began to shew most alarming symptoms of irritation, and swelled to an unprecedented degree. Surgical aid was then called in, all the flesh in the immediate vicinage of the wound was cut away, and hopes were entertained that the poison had not communicated itself to the system. Unfortunately, this supposition was not well founded; as the patient, on the following morning, betrayed symptoms plainly indicative of canine madness; he became insensible to every effort of attention, talked incoherently, and frequently imitated the barking of a dog, evincing the greatest dislike of all liquids, particularly water. In this state he continued until Friday evening, when the disorder attained that frightful ascendancy, in which the near approach of friends becomes extremely perilous. The paroxysm, however, was short in proportion to its violence, and on Saturday death put a period to the sufferings of this unfortunate, but deserving young man. Mr Hales, we learn, was formerly a clerk in the Navy pay-office, and was held in

much esteem for his uniform good conduct. This is the fourth instance where death has followed the bite of dogs in the vicinity of London, all within the space of one month. The magistrates of Union Hall issued a printed notice or caution to persons against suffering dogs to go abroad unmuzzled during this dangerous season.

#### FUNERAL OF LORD BYRON.

16th.—The interment took place in the family vault in the village church of Hucknall, eight miles beyond Nottingham, and within two miles of Newstead-abbey, once the patrimonial property of the Byron family.

The funeral moved slowly from London to Nottinghamshire, and all the decorum of such a ceremony was strictly observed in the progress of the hearse to its final destination. The whole of the mourners quitted the procession as it left London on Monday, and the hearse was afterwards escorted by the undertaker and his assistants, who occupied the three mourning-coaches and six which followed the body; and the executors (Mr Hobhouse and Mr Hanson,) together with Colonel Leigh, the chief mourner, did not again meet the funeral until it reached Nottingham. The funeral procession, after its departure from London, took what is called the high Leeds road, and not the more general and better road through Leicester. It halted the first night at Welwyn, the second at Higham Ferrars, on Wednesday night at Oakham, and arrived at Nottingham at five o'clock on Thursday evening. A large concourse of people were assembled at the south end of the town, which rapidly increased to thousands as the procession moved along Fisher-gate, Carter-gate, Hock-

ley, and up Carlton-street, on its way to the Blackmoor's Head inn, at the bottom of Pelham-street.

The hearse, followed by the mourning-coaches, having entered the yard, the gates were instantly shut. The coffin was then taken out, of the hearse, and the case or urn out of the first mourning-coach, and carried into the room at the north-west corner of the yard. This room was hung with black, and three escutcheons of the Byrons' arms were fixed on each of the four walls of the room. The coffin was then placed on trestles in the centre, with the case for the heart, &c. at the head; six very large wax candles were placed round the coffin, and a few other lights being fixed in the room, the public were admitted, by about twenty at once, to see the lying in state; but such was the pressure and anxiety, that a very large body of constables was necessary to clear the way, and to keep clear ingress and egress. Many thousands were thus admitted in the course of the evening, and up to nine o'clock on Friday morning.

When the funeral entered Nottingham on the previous evening, an offer was made to attend it with an escort from the corporation; but this mark of respect was then declined, on account of the unfit condition of the hearse and mourning-coaches, for any display, after travelling on the road for four days. The bells of the churches were, however, tolled, and the town-clerk waited upon the executors, and presented them with the following copy of resolutions, which were unanimously agreed to by the corporation, as a tribute of their respect for the memory of Lord Byron.

“Town of Nottingham, to wit.—At a meeting of the mayor, aldermen, common council, and livery of the said town, held (in consequence

of a requisition addressed to the mayor) at the police-office in the said town, on Wednesday, the 14th day of July, 1824.

"Resolved, on the motion of Mr Hurst, seconded by Mr Alfred Fellows, that this corporation desire to offer a public testimony of their respect for the memory of the late Lord Byron, upon the present occasion of his remains passing through the town to Hucknall, for interment.

"Resolved, on the motion of Mr James Roger Allen, seconded by Mr Dun, that, in testimony of the respect which this corporation bear the memory of the late Lord Byron, a deputation from their body do on Friday next (if the executors of the deceased will give permission) join the funeral procession at Nottingham, and accompany the same to the place of interment.

"Resolved, that the deputation consist of the mayor, Alderman Soars, the sheriffs, the under-sheriff, the chamberlain, one of the council, and the town-clerk.

"Resolved, that the town-clerk convey the foregoing resolutions to John Cam Hobhouse, Esquire, and request the answer of the executors."

The executors immediately acceded to the request so handsomely conveyed; and Mr Hobhouse in person thanked the mayor for the manner in which he had come forward to evince his respect for the deceased. Placards with mourning edges were, early on Friday morning, posted throughout Nottingham, describing the arrangements for the funeral, and announcing, that it was a mistake to suppose a full mourning-dress was required for those who were to form in the line of the procession from Nottingham to Hucknall church, and that, as the mourning consisted more in a feeling of the heart than in external appearances, care would be ta-

ken to afford room for all who wished to attend, in whatever attire, upon this mournful occasion.

At eight o'clock on Friday morning, Lord Rancliffe (a distant relation of the deceased) arrived in Nottingham, and was soon after followed by a large body of his tenantry in mourning, with crape and hat-bands, who formed an equestrian cavalcade in the Market-place. Colonel Wildman, of Newstead Abbey, with some of his tenantry, arrived in a similar manner. Ten o'clock on Friday morning, being the time fixed upon for the procession to leave Nottingham, the bells were tolled at that hour, the shops were chiefly shut, and vast numbers of persons came into town from all the neighbouring villages. Long before the appointed hour, many thousands of spectators had assembled in front of the Black's Head, in the Poultry, Cumber-street, and Pelham-street, but particularly in the Market-place, and those streets through which the mournful cavalcade was to move.

At a quarter before eleven o'clock, the hearse, adorned with twelve large sable plumes, drawn by six beautiful black horses, each having a plume of feathers on his head, was ordered to the front of the Blackmoor's Head Inn, for the purpose of receiving the body of his Lordship, which, on being brought out and placed therein, the first mourning-coach and six came up, in which was put the urn containing the heart, &c. covered with a rich black silk velvet pall, ornamented with escutcheons of the Byron arms on a white ground. The utmost silence prevailed during this ceremony, and considering the prodigious concourse of people that filled the streets, windows, and roofs of the houses, the decorum preserved on the occasion reflected the highest credit on the inhabitants. The arrange-



ments having been completed as the town-clock struck eleven, the procession set out in the following order, all the individuals composing it being furnished with hat-bands:—

	Two Constables on horseback.	
	Two Bailiffs on horseback.	
	Lord Ranccliffe's Land Steward.	
	Mr Wooddeson, the undertaker, with Mr Touvey, who assisted him.	
	Two Mutes, on horseback.	
A Page.	A large Plume of black Feathers, borne on a man's head.	A Page.
	Six Horsemen in cloaks, riding two by two.	
	Two Mutes, on horseback.	
A Page.	{ The State Horse, richly caparisoned, and led by two Pages, the Rider carrying on his arms the Coronet of the deceased Lord, on a crimson velvet cushion, ornamented with gold tassels and fringe.	A Page.
Pages.	The Hearse, containing the BODY.	Pages.
A Page.	Mourning Coach and six, with Urn containing the Heart.	A Page.
A Page.	{ Mourning Coach and Six, containing the Chief Mourners, Colonel Leigh, Colonel Wildman, John Cam Hobhouse, Esq. M.P., and John Hanson, Esq. the Executors.	A Page.
	Mourning Coach and six, with the late Lord Byron's household.	
	Mourning Coach and six, containing the Mayor and two Aldermen of the Corporation of Nottingham, attended by three of their servants in full mourning.	
	Mourning Coach and six, containing the Sheriff, Town-Clerk, and the remainder of the deputation from the corporate body, attended by three servants in full mourning.	
	The Right Hon. Lord Ranccliffe's carriage and four horses, with his Lordship therein.	
	Colonel Wildman's carriage, containing the pall-bearers, Messrs Edward Stavely, Alfred Thomas Fellowes, Jonathan Dunn, Charles Heywood Homer, James Fellowes, and T. C. Smith, jun.	

A number of private carriages, and forty or fifty gentlemen in full mourning, upon horseback, closed the procession, which slowly advanced, accompanied by immense crowds of people of all classes,\* down Smithy-row, across the Market-place, up Chapel-bar, along Parliament-street, up Milton-street, and the Mansfield-road, to Papplewick-lane, near the seventh mile-stone, then to Papplewick and Hucknall Torkard. The great body of the people on foot followed to the outskirts of the liberties of the town, and then the greater part of them halted; a few followed all the way, and the number increased greatly, when the procession passed through the villages contiguous to the place of interment.

At Hucknall, and the villages leading thereto, the utmost anxiety was manifested to learn which way the funeral would come, and vast numbers were assembled on the road sides, eager to catch the least intelligence upon a matter in which all seemed deeply interested; and much disappointment was felt at the procession not coming through Basford and Bulwell, as had been expected. The doors of Hucknall church were thrown open, and great numbers of persons were there at an early hour, inspecting the vault which was to be the last resting-place of the noble Lord. The vault is but small, and will not hold more than three coffins abreast upon the floor. Those who were already there spoke loudly of the

decay of worldly grandeur. Scarcely a bit of wood or velvet was visible. Nothing but six or seven leaden coffins remained, of all the grandeur which had been deposited in that lonely habitation; the most legible inscription is that of the Hon. Catherine Gordon Byron, mother of him whose wishes were this day fulfilled, where he said, speaking of the noble deeds of his ancestors—

“ Like you will he live, or like you will he  
perish;  
When decay’d, may he mingle his dust with  
your own.”

The following was the inscription upon the coffin of Lord Byron’s mother :—

“ The Hon. Catherine Gordon, of Gight, mother of George, Lord Byron, and lineal descendant of the Earl of Huntley and the Lady Jean Stuart, daughter of King James the 1st of Scotland. Obit in the 46th year of her age, August 1, 1811.”

Although her Ladyship was so recently interred, the coffin had fallen in, the escutcheons, brass gilt plate with the inscription, and detached drapery, from the coffin furniture, lay detached, among the disjointed fragments of the timber, and the sacrilegious hands of many among the immense crowd, admitted freely throughout the day into the vault, without distinction of persons, removed, as trophies of their attendance upon this melancholy occasion, parts of the remnants of useless grandeur, which noble pageantry so idly wastes upon the dead, and consigns to moulder with their ashes. The vault was remarkably small and inconvenient; it is constructed at the foot of a small flight of stone-steps under the pavement near the chancel, and about five yards in front of a nearly obliterated mural monument, in white marble, affixed to the wall, at the north side of the communion table, with the following inscription :—

Beneath in a vault  
lies interred the body of RICHARD, LORD BYRON,  
who, with the rest of his family, being seven brothers,  
Faithfully served King Charles the First in the civil wars,  
who suffered much for their loyalty,  
and lost all their present fortunes;  
Yet it pleased God so to bless the humble endeavours  
of the said Richard, Lord Byron,  
that he repurchased part of their ancient inheritance,  
which he left to his posterity,  
with a laudable memory for his great piety and charity :  
he departed this life upon the 4th day of October,  
An. Dom. 1679, in the 74th year of his age.  
In the same vault is interred the Lady Elizabeth,  
his first wife, daughter of George Russel, Esq.  
by whom he had 10 children.  
And ye Lady Elizabeth his second wife, daughter  
to Sir George Booth, Knt. and Baronet,  
who appointed this monument  
to be erected  
to the memory of her dear husband,  
and for her great piety and goodness  
acquired a name better than yt  
of sons and daughters.

The church itself is very small, and merely adapted for the convenience of a village throng. It was white-washed, (we know not whether or no for the occasion,) and as much pains as could consistently be applied, were devoted to the accommodation of those who were attracted to the spot on the present occasion.

At half past eleven o'clock, a number of the undertaker's men arrived, and immediately began to clothe the pulpit and reading-desk with black cloth. A large seat next to the pulpit, together with the communion table and rails, were also covered with black cloth. An escutcheon of the arms, with the motto, "Crede Byron," underneath, was hung in front of the pulpit, below the cushion. All their preparations were finished by half past one, at which hour the minute bell began to toll.

The church and little village were crowded to excess at this hour, and all eyes were fixed on the road which the procession had to pass; it came by the Mansfield road, for the purpose of being drawn near to Newstead-Abbey. Although the procession left Nottingham at eleven o'clock, and had only eight miles to traverse, it did not reach Hucknall church until half past three o'clock. The Rev. Mr Nixon, the vicar, who was in attendance all day, immediately repaired to the churchyard, where he received the body. At a quarter before four o'clock the procession entered the church.

The body and urn being brought in, and placed on two trestles fixed in the aisle, the mourners passed to the seats prepared for them. The coronet and cushion were then placed upon the case containing the urn, and upon the coffin was placed the noble plume of sable feathers. The Rev. Mr Nixon, the vicar, clothed in

his white surplice, then read a part of the beautiful service of the Church of England; and in a few minutes the undertaker and his attendants slowly removed the coffin and urn to the opening of the vault, the state-bearer of the coronet supporting it on the cushion at the head of the tomb, whilst the reverend vicar read the remainder of the service. The coffin was then gradually lowered, and placed on an old leaden coffin, said to be that (for no vestige of letters or ornament remained) of the Lord Byron, whose name and deeds are recorded upon the mural monument.

The original intention was, that it should have been laid upon his mother's coffin, but the mutilated and decayed state of the latter rendered that impossible; it rests, however, exactly next to it, with the case containing the urn, &c. at the head.

Around the vault stood Colonel Leigh, chief mourner, (the present Lord Byron was said to be indisposed at Bath;) next him Mr Hobhouse and Mr Hanson; then Lord Ranelagh and Colonel Wildman; the household of the deceased in the rear.

## AUGUST.

### WILL OF BUONAPARTE.

A copy of the testament of the late Emperor Napoleon, which is deposited in Doctors' Commons, has just been published. In the preface to this document, it is stated, that not more than two days before Napoleon's death, he dictated to Count Montholon the letter to be delivered to Sir Hudson Lowe, announcing his decease, leaving a space for the insertion of the day and hour of his dissolution. We give the following ex-

tracts from this interesting document:—

NAPOLEON.

This 15th April, 1821, at Longwood, Island of St Helena. This is my testament, or act of my last will.

I die in the apostolical Roman religion, in the bosom of which I was born, more than fifty years since.

It is my wish that my ashes may repose on the banks of the Seine, in the midst of the French people, whom I have loved so well.

I have always had reason to be pleased with my dearest wife, Marie Louise. I retain for her, to my last moment, the most tender sentiments—I beseech her to watch, in order to preserve my son from the snares which yet environ his infancy.

I recommend to my son, never to forget that he was born a French Prince, and never to allow himself to become an instrument in the hands of the triumvirs who oppress the nations of Europe; he ought never to fight against France, or to injure her in any manner; he ought to adopt my motto:—"Everything for the French people."

I die prematurely, assassinated by the English oligarchy and its \* \* \*. The English nation will not be slow in avenging me.

The two unfortunate results of the invasions of France, when she had still so many resources, are to be attributed to the treason of Marmont, Angereau, Talleyrand, and La Fayette.

I forgive them—may the posterity of France forgive them, like me.

I thank my good and most excellent mother, the Cardinal, my brothers Joseph, Lucien, Jerome, Pauline, Caroline, Julie, Hortense, Catherine, Eugene, for the interest which they continued to feel for me. I pardon Louis for the libel which he pub-

lished in 1820; it is replete with false assertions and falsified documents.

I disavow the "Manuscript of St Helena," and other works, under the title of *Maxims, Sayings, &c.*, which persons have been pleased to publish for the last six years. These are not the rules which guided my life. I caused the Duc d'Enghien to be arrested and tried, because that step was essential to the safety, interest, and honour of the French people, when the Count d'Artois was maintaining, by his confession, sixty assassins at Paris. Under similar circumstances, I would act in the same way.

I bequeath to my son the boxes, orders, and other articles; such as my plate, field-bed, saddles, spurs, chapel-plate, books, linen, which I have been accustomed to wear and use, according to the list annexed. It is my wish that this slight bequest may be dear to him, as recalling the memory of a father, of whom the universe will discourse to him.

I bequeath to Lady Holland the antique cameo which Pope Pius VI. gave me at Tolentino.

After specifying a number of individuals (principally officers of the French army) to whom legacies are given, Napoleon proceeds:—

These sums will be raised from the six millions which I deposited on leaving Paris in 1815; and from the interest, at the rate of five per cent, since July, 1815. The account will be settled with the banker by Counts Montholon, Bertrand, and Merchand.

Whatever that deposit may produce beyond the sum of five millions six hundred thousand francs, which have been above disposed of, shall be distributed as a gratuity amongst the wounded at the battle of Waterloo, and amongst the officers and soldiers of the battalion of the Isle of Elba, according to a scale to be determined

upon by Montholon, Bertrand, Druot, Cambrone, and the surgeon Larrey.

These legacies, in case of death, shall be paid to the widows and children ; and in default of such, shall revert to the bulk of my property.

My private domain being my property, of which no French law deprives me that I am aware of, an account of it will be required from the Baron de la Bouillere, the treasurer thereof ; it ought to amount to more than 200,000,000 of francs, namely, 1. The portfolio containing the savings which I made during fourteen years out of my civil list, which amounted to more than 12,000,000 per annum, if my memory be good. 2. The produce of this portfolio. 3. The furniture of my palaces, such as it was in 1814, including the palaces of Rome, Florence, and Turin. All this furniture was purchased with moneys accruing from the civil list. 4. The proceeds of my houses in the kingdom of Italy, such as money, plate, jewels, furniture, equipages ; the accounts will be rendered by Prince Eugene, and the steward of the crown, Campagnoni.

NAPOLEON.

I bequeath my private domain, one-half to the surviving officers and soldiers of the French army who have fought since 1792 to 1815, for the glory and the independence of the nation. The distribution shall be made in proportion to their appointments upon active service. One half to the towns and districts of Alsace, of Lorraine, of Franche Compté, of Burgundy, of the Isle of France, of Champagne Forest, Dauphne, which may have suffered by either of the invasions. There shall be previously deducted from this sum one million for the town of Brienne, and one million for that of Méri. I appoint Counts

Montholon, Bertrand, and Marchand, the executors of my will.

This present will, wholly written with my own hand, is signed and sealed with my own arms.

(L. S.) NAPOLEON.

My arms, that is to say, my sword—that which I wore at Austerlitz, the sabre of Sobiesky, my dagger, my broad-sword, my hanger, my two pair of Versailles pistols.

My gold travelling box, that of which I made use on the morning of Ulm and of Austerlitz, of Jena, of Eylau, of Friedland, of the Island of Lobau, of Moscow, of Mountmirail. In this point of view it is my wish that it may be precious in the eyes of my son. (It has been deposited with Count Bertrand since 1814.)

I charge Count Bertrand with the charge of preserving these objects, and of conveying them to my son, when he shall attain the age of sixteen years.

A number of other articles are also directed to be given to young Napoleon, on his attaining the age of sixteen years.

A codicil, dated Longwood, April 24, 1821, begins thus :—

Out of the settlement of my civil list of Italy, such as money, jewels, plate, linen, equipages, of which the viceroy is the depository, and which belonged to me, I dispose of two millions, which I bequeath to my most faithful servants. I hope, that, without acting upon the credit of any account, my son Eugene Napoleon will pay them faithfully. He cannot forget the forty millions which I gave him in Italy, and in the distribution of the inheritance of his mother.

Extract from the fourth codicil :—

This 24th of April, 1821. Longwood.

By the dispositions which we have heretofore made, we have not fulfilled

all our obligations, which has decided us to make this fourth codicil.

We bequeath to the son or grandson of Baron Dutheil, lieutenant-general of artillery, and formerly Lord of St André, who commanded the school of Auxonne before the Revolution, the sum of one hundred thousand francs, as a memento of gratitude for the care which that brave general took of us when we were lieutenant and captain under his orders.

To the son or grandson of General Dugommier, who commanded in chief the army of Toulon, the sum of one hundred thousand francs. We under his orders directed that siege, and commanded the artillery; it is a testimonial of remembrance for the marks of esteem, of affection, and of friendship, which that brave and intrepid general gave to us.

We bequeath one hundred thousand francs to the son or grandson of the Deputy of the Convention, Gasparin, representative of the people at the army of Toulon, for having protected and sanctioned with his authority the plan which we had given, which procured the capture of that city, and which was contrary to that sent by the Committee of Public Safety. Gasparin placed us, by his protection, under shelter from the persecution and ignorance of the general officers who commanded the army before the arrival of my friend Dugommier. We bequeath one hundred thousand francs to the widow, son, or grandson of our Aid-de-Camp Muiron, killed at our side at Arcola, covering us with his body.

Ten thousand francs to the subaltern Cantillon, who has undergone a trial, upon the charge of having endeavoured to assassinate Lord Wellington, of which he was pronounced innocent. Cantillon had as much right to assassinate that *oligarchist*, as the latter had to send me to perish on the

rock of St Helena. Wellington, who proposed this outrage, attempted to justify himself by pleading the interest of Great Britain. Cantillon, if he had really assassinated that lord, would have excused himself, and have been justified by the same motives, the interest of France, to get rid of a general, who, moreover, had violated the capitulation of Paris, and by that had rendered himself responsible for the blood of the martyrs Ney, Labedoyere, &c.; and for the crime of having pillaged the museums, contrary to the text of the treaties.

A fifth codicil says—

“Upon the funds remitted in gold to the Empress Marie Louise, my very dear and well-beloved spouse, at Orleans, in 1814, she remains in my debt two millions, of which I dispose by the present codicil, for the purpose of recompensing my most faithful servants, whom, moreover, I recommend to the protection of my dear Marie Louise.”

Several persons are then named for various sums. On the back of the codicil is written:—

“This is my codicil or act of my last will, the execution of which I recommend to my dearest wife, the Empress Marie Louise.

(L. S.) “NAPOLEON.”

#### EXECUTION OF THE MAHERS FOR THE BURNING OF THE SHEAS.

19th.—The two unhappy men underwent the awful termination of their existence on this earth, at the village of Cloneen, which place was selected, on the application of the Grand Jury to the Lord Chief-Justice, as the most suitable spot, from its contiguity to the scene where so many human beings were sacrificed to the deplorable system which at one time existed in that part of the country. Throughout the whole of Wednesday the two

exemplary clergymen, the Rev. Mr. Brennan, and the Rev. Mr. Fogarty, were engaged in acts of devotion with the unhappy culprits, who seemed deeply impressed with the awful change which they were about to make, and paid the most marked attention to the admonitions of their spiritual instructors, both of whom remained with them till eleven o'clock on that night. Early next morning (Thursday) crowds collected round the gaol, a report having gone abroad that the convicts would be led out at eight o'clock, previous to which time strong detachments of police had arrived in town from Thurles and Cashel; and at about eight o'clock fifty men of the 3d dragoon guards, under Captain Gaddon, marched in from Caher, all intended as an escort for the men to the place of execution. By this time it was known that ten o'clock was the hour fixed for the cavalcade to commence its journey; and at a quarter past that hour, (the carriages being drawn up in front of the prison,) the prisoners were led out. William Maher, whose countenance appeared lively and animated, walked with a firm step, and required little or no assistance to be placed in the first carriage, in which he was accompanied by the Rev. Mr. Fogarty. Darby Maher, the other prisoner, advanced, labouring under considerable weakness, and was placed in the second carriage, in which the Rev. Mr. Brennan took his seat; next followed, in another carriage, the executioner and a constable; and the undersheriff, Nicholas Sadlier, Esq. accompanied by Captain Wilson, chief magistrate, and John Maher, Esq. of Tullamine, in a fourth carriage, closed the procession, escorted by an advanced guard of the 3d dragoons; preceding and around the carriages were strong detachments of police; and in the rear was another squadron of dra-

goons, under an officer's direction. All the necessary arrangements having been completed, the whole began to move down Gaol-lane and Kilsheelan-street. The scene was truly imposing. Under any circumstances, the sight of two human beings on their way to suffer for their crimes could not fail to excite deep emotion; but in the present instance, it was doubly so, from the recollection, that the two men in question were convicted of a crime which never can be effaced from our country's annals, on most indisputable evidence. During the progress of the journey to Fethard, where the cavalcade arrived at twenty minutes before one o'clock, the prisoners were engaged in acts of devotion, in which they were assisted with pious fervour by the clergymen.

William Maher's courage never forsook him—he looked at the crowds which assembled on the road with some earnestness; and on his arrival at Fethard, where the crowds of spectators were considerable, and where the procession halted by the sound of trumpet, he asked for a glass of wine, which was immediately handed him. Just as he put the glass to his mouth he recognized a person in the crowd, to whom he nodded in the most familiar manner, and smiled. A tumbler of water, at his own request, was handed to the other prisoner. After a few minutes' delay, the cavalcade moved on slowly, and arrived at Cloneen, three miles from Fethard, at half past two o'clock. Some time having been occupied in erecting the gallows, (the materials for which arrived on the ground about twelve o'clock, under a strong escort of the 58th regiment, commanded by Captain Rowley,) it was announced that all was ready. The unhappy men were then led to the scaffold, William Maher advancing first. He seemed to require no assistance,

and ascended the ladder with extraordinary firmness. His countenance was still most animated, and he looked at the surrounding multitude, while yet the executioner was tying his arms and adjusting the knot, with amazing fortitude. During this period the Rev. Mr Fogarty had been assiduously employed in administering to him all the consolations which religion is so well calculated to impart; and, taking advantage of so favourable an opportunity, the reverend gentleman addressed an admonition to the assembled multitude in the Irish language.

The reverend gentleman then repeated some of the leading heads of his address in English, and particularly stated that William Maher had expressed a most ardent desire that his surviving friends should not entertain the slightest spirit of hatred to those who contributed to bring him to so untimely an end, however remotely concerned.

Darby Maher, whose strength by this time nearly forsook him, and who covered his face with his handkerchief while the gallows was erecting, was assisted by Mr Brennan at one side, and a constable at the other. His responses to the worthy clergyman, of "Lord, have mercy upon me! Christ Jesu, have mercy upon me!" were most affecting, and delivered in a loud singing tone. His eyes were directed to the heavens, and he seemed quite indifferent to the scene which presented itself to his view. On ascending the scaffold, he cast one wistful look at his residence, then in his view, (a small cabin on the side of the opposite mountain, with a white-washed front, and scarcely visible to the naked eye;) but he no sooner did so than he turned quickly round; the executioner then ascended to adjust the fatal knot, previous to which the prisoner addressed a few observations to those around him, in substance that he was

perfectly resigned to die—that he forgave the world, and all those who contributed to his conviction—that his friends should not at any future time visit them with injury, and that he resigned his spirit to his Maker with pleasure. He then implored the prayers of the multitude, and in a short time after the cars on which the two men stood were drawn away, when this world and all its cares closed on them for ever. They died without a struggle. William Maher's face pointed to the residence of the unfortunate beings whose souls he contributed to send to their final account, in the blossom of their lives. It is situated upwards of a mile from Cloncen, in the north-east direction, and appeared as if recently repaired.

Their bodies, after hanging the usual time, were cut down, and conveyed to the Cashel Infirmary, under a strong escort of police, where they arrived the same evening. The two Mahers were young unmarried men, decently clad in blue coats, buff waistcoats, and kerseymere small clothes, and were cousins. It rained heavily during the execution.

We had almost forgotten to observe, that there was no declaration by the Mahers of their guilt; neither was there anything to show the most distant insinuation of innocence on their part. Before they left the gaol, Mr Sadler, the acting sheriff, in presence of the two Roman Catholic clergymen, and at their request, asked them if they had any communication to make, admonishing them to adhere strictly to truth in anything they might say. They then declared in the most solemn manner, that neither Patrick Walsh, Thomas Ryan, nor James Hennessey, then in custody for this offence, had any concern whatever in the transaction, directly or indirectly; that there were only ten men of the party; and other particulars, which none but



persons immediately concerned in the tremendous violation could know, and they offered to depose to the facts on oath, if permitted. This, however, was quite unnecessary from men in their deplorable situation; and though there was no actual declaration of guilt, yet it was fully admitted by inference.

16th.—Esther Loughridge, aged about seventy-five, and her son Hugh, twenty-eight years old, and stone blind, underwent the awful sentence of the law, at the new drop in front of the gaol at Carrickfergus, for poisoning Hugh's wife. The unhappy prisoners, who had slept tolerably well on the preceding night, were early at their devotions in their respective cells, assisted by the Rev. Mr Reid, the Presbyterian minister, and other pious persons. They partook of some breakfast, and were engaged in prayer till about one o'clock, when Hugh Loughridge, after being pinioned in his cell, was brought to the execution-room, and placed on a chair in front of the drop. He was without any coat, or shoes, or stockings, and his waistcoat and trousers were exceedingly shabby. It was a most awful scene to see the wretched man groping his way amongst the machinery of death. He was asked by one of the assistants how he felt? He replied, that it could not be expected that he should be well at that moment, and repeatedly said that he hoped his fate would be a warning against sin and vicious courses. Having inquired if any of his friends were present, he was told that there was not a soul belonging to him there. At this he sighed deeply, but said nothing. In a little time his unhappy old mother, much bent with age, was assisted up stairs, and placed on a chair beside her son. She moaned greatly, looked about with fearful agitation, and lifting up her withered hands, exclaimed, "Oh, that I should ever have come to this!"

Though the old woman had not seen

her son since the day of trial, she looked on him with something like indifference, and did not speak to him. The Rev. Mr Reid then stood up before them, and called upon them, as they were now about to appear before their God, if they had anything to say farther than they had already confessed, now was the time to unburden their minds. Hugh, in a firm and loud voice, immediately acknowledged the justice of his sentence, that he died in peace with the world, forgiving every one, and hoping that his example would deter men from the neglect of religion, and from permitting vice and passion to have dominion over them.

The old woman then said, "I die innocent of the charge; I knew nothing of the poison." Hugh said, "My mother did not know of it at the time." She was then asked if she forgave every one, and particularly her son? She hesitated, and said she did; but turning to him, said, "O Hughey, if you had told me what was your intention, I would have endeavoured to persuade you from it." Hugh replied, "It is all over now." Mr Reid then gave out the 23d Psalm, saying it was by the prisoners' particular desire, and they both joined in the singing, Hugh with a loud and firm voice, so as to be heard in the street below. After the clergyman had given out the lines and sung with them the first verse, he said he need not repeat the words, because, from their early religious habits, they were acquainted with the Psalms. Hugh acquiesced, and they accordingly finished the Psalm; after which Mr Reid read from the 20th verse to the end of the 15th chapter of 1st Corinthians, and all having knelt on the floor, he made a highly impressive and appropriate prayer, in which the culprits seemed to join most seriously. The clergyman then took his leave, Hugh expressing gratitude for his great attention.

The executioner then commenced his horrid office, putting black caps on their heads, and tightening the cords which bound the arms. Hugh said nothing ; but the old woman, upon the cords being tight drawn, exclaimed, in a shrill and impatient tone, " Eh, dear me, surely that's the hardest tying that ever was tied." The ropes were then put about their necks, and upon hearing the noise of the windlass adjusting them to the proper length, the old woman looked sharply round her to see what occasioned it. They did not shed a tear, nor did they shake hands with one another ; but were much intent on prayer and aspirations for forgiveness of their sins, and mercy from God.

They were then conducted upon the drop, and Hugh, in a firm voice, said he hoped his fate would be a warning to all that day. The caps were then drawn over their faces—a cord was tied lightly round the old woman's clothes, and they were, without any signal, instantly launched into eternity. The old woman seemed to die instantly, and did not move—the man was strongly convulsed for more than ten minutes. After hanging about forty minutes, the bodies were lowered into the street, and put into coffins, and sent off under a guard to the County Infirmary at Lisburn, for dissection.

## SEPTEMBER.

### MEETING OF THE WEAVERS.

8th.—Agreeably to a resolution adopted at last meeting, 71 delegates from the weavers of Glasgow, the suburbs, and the adjoining counties, assembled in the Methodist Chapel, Clyde Street. The object of the meeting was to discuss the articles proposed at last meeting, to regulate

the proceedings of the general association. The chair was taken at one o'clock by Mr Stewart. The different deputies, or delegates, each gave in a report regarding the increase and success of their respective associations since their last meeting. From these it appears, that their numbers had considerably increased, and that some associations had already collected from 35*l.* to 45*l.*, independent of their weekly collections, to which each individual contributes one penny per week in their respective districts. After a long and animated discussion, 24 articles were agreed to. The purport of these articles were to regulate the proceedings of the general association in their endeavours to promote the interests of the weavers individually and collectively, and procure them an advance of wages, by keeping up the strike till they had accomplished that object. About five o'clock the assembly adjourned, in order to get dinner and to recruit their spirits from the fatigues of debate. At six o'clock they again assembled, and continued their deliberations till midnight, when the meeting adjourned till Thursday, in order to discuss some minor matters.

A justice of peace court was held in Glasgow, on Friday, to decide a complaint at the instance of Mr Hutchison, manufacturer, against two weavers, for obstructing one of his workmen in his employment. This is the gentleman whom the last meeting of the delegates voted out of the trade ; and, agreeably to that resolution, a few people entered the shop where a servant of his, named Miller, was working, and desired him to return an unfinished web to his employer. Miller, however, refused to comply with this request, and expressed his determination to finish his work. The party who entered the shop used no threats, nor was Miller addressed in a manner

calculated to intimidate him. The defendants' agent discovered a technical error in the complaint, on which the justices acquitted them. Before the Court was dismissed, Mr Douglas, with his usual ability and spirit, lectured the association on their foolish and unmanly conduct, in attempting to thrust a respectable manufacturer out of all business. The justices considered the offence which had been before sufficiently proved; and but for the error in the complaint, it would have been their duty to have consigned the defendants to Bridewell for a time. The weavers have published a reply; in which they contend that there was nothing illegal in their withdrawing their services from a person who had reduced the profits of the manufacturer, and was still undermining their business; and, so far from the association countenancing any violent measures, they had delivered up a man who had been guilty of throwing vitriol upon a web.

#### *Violent Outrage.*

George Smith, weaver in Cam-lachie, and his sons, have been in the employment of Mr Peter Hutchison for some years; and on Wednesday last they took out four new webs. The father was waited on in the course of the evening by four individuals, said to be members of committee, delegates, or otherwise, at the head of the weavers' combination, who remonstrated with him for taking the webs, and endeavoured to prevail with him to return the work, and on his refusing to do so, they went off, making use of threats towards him. Early on Thursday afternoon, the threats were carried into execution, inasmuch as a large mob assembled in the village, and after preparing, and suspending from a pole, what was announced as the effigy of Mr Smith, advanced with it, in a vio-

lent and tumultuous manner, through the village to Smith's house, where they first proceeded to alarm him by knocking at his doors and on his windows; after which they brought the effigy close up to the window, and with a whip, which had been frequently applied in the same manner during their progress through the village, proceeded to bestow several hearty stripes on the effigy. Notice of these proceedings having reached Mr Hutchison, he dispatched information to the superintendent of police, who most promptly repaired to the spot at the head of a small party of officers, accompanied by several persons whom Mr Hutchison sent to their assistance. On the arrival of this party at the west end of the village, they were assailed by the mob with stones, bricks, and other missiles, and were put to flight, after many of them had been pretty severely wounded. An additional number of police-officers were then called out, and notice was transmitted to the cavalry barracks, by Bailie Lang, that a military force was likely to be required. Notice of the riot was likewise sent to Mr Moir, the sheriff-substitute of the county, who, with Bailie Lang, and one of the town-clerks, promptly repaired to the spot; but before their arrival, and without the aid of a military force, Mr Hardie had, with the aid of a fresh supply of peace-officers, succeeded in quelling the riot, and securing several individuals engaged therein, against whom an investigation is now in progress. The following persons have been examined and committed: Alexander M'Phie, Andrew Dunsmore, John Riddell, Robert Reid, Richard Irvine, and John Smith, all weavers. \* The workmen at a cotton-mill near Glasgow having demanded of their employer to turn off his principal manager, and that being refused, they

struck work. Two other mills followed in support of the strike, upon which the master cotton-spinners, finding that there was a spirit of combination abroad, determined to discharge the whole of their workers, till they should give up their pretensions of dictating to their masters whom they were to employ. The consequence is, that in all the mills in that neighbourhood, with the exception of two, both men and machinery are idle, to the great loss of all concerned.

#### DISINTERMENT OF JAMES II.

Paris, Sept. 10.

Yesterday the Cafés of Paris emptied themselves into St. Germain's, which was thronged at an early hour, for the purpose of witnessing the august ceremony of removing the royal remains of James II., king of England, which were unexpectedly discovered, a short time since, by the workmen employed in digging the foundation of the new church, which is building upon the site of the old edifice, which was found to be in so ruinous a state as to be utterly incapable of repair. The road was thronged with carriages of all descriptions, and pedestrians of all classes. The ceremony, which was conducted with great solemnity, began with a procession of priests, in their sacerdotal vestments, who, entering the chapel built for the temporary purposes of religious worship, on a spot closely adjoining the church, performed the service of mass in a most impressive manner. The spectators, who were very numerous, seemed greatly affected by the whole scene, which was strikingly grand, and replete with moral associations. The entrance to the chapel was hung with a canopy of black cloth, as was the interior. The coffin, containing the royal remains, was placed upon a stage in the shape of a magnificent mauso-

leum, hung round with tesselated drapery of the deepest mourning. The whole was surmounted with the royal diadem of gold, placed on a rich cushion of crimson velvet; over the whole of which was thrown a veil of black crape, which softened, without concealing, their splendour. Towards the close of the service the remains of the royal sovereign were removed, in great state, to the altar, beneath which the attendants proceeded to deposit it, with all those solemnities, so powerful in their effect, which distinguish the Catholic Church service. The whole ceremony closed about two o'clock. On a plain black tablet, in the front of the altar, is the following inscription:—

D. O. M.

JUSSU GEORGII IV.  
Magnæ Britanniaë Regis  
Et Curante Equite  
Exc. CAROLO STUART  
Regis Britanniaë Legato  
Cæteris antea rite peractis  
Et quo decet honore  
In stirpem regiam  
Ilic nuper effossæ  
Reconditæ sunt reliquiae  
JACOBI II.  
Quo in secundo civitatis  
Gradu claris triumphis  
In primo, infelicioꝝ  
Post varios fortunæ casus  
In spem melioris vitæ  
Et beatæ resurrectionis  
Ilic quievit in Domino  
MDCCCXXIV.

Immediately under the above tablet, and within the rails of the communion-table; is a plain neat altar, with the following inscription:—

Ces Dépouilles Royales  
Sont ici déposées  
En attendant  
Qu'elles soient placées  
Dans un  
Monument plus  
Convenable, quand la  
Nouvelle Église  
Sera construite.

When the new church will be in a condition to receive "*Ces Dépouilles Royales*" is very doubtful, as it is now *fifty years* since it was begun, and it is not yet advanced beyond the construction of about half a dozen pillars and a side wall.

#### MR FAUNTLEROY.

About six o'clock on the evening of Thursday, the 10th instant, before the sitting of the magistrate at Marlborough-street, two gentlemen came to the office, and expressed an anxious desire for an interview with one of the magistrates on urgent business; their wish was communicated immediately to Mr Conant, who was at the time engaged with some private friends at his own house adjoining the office, but the moment he received the intimation that two gentlemen waited for him on public business, he had them introduced at a private room.

These two gentlemen, after a very short preface, made Mr Conant acquainted with the nature of their business, namely, to obtain a warrant against Mr Henry Fauntleroy, of the firm of Marsh, Stracey, Fauntleroy, and Graham, in Berner's-street.

Mr Conant was astonished and grieved at this application, being personally acquainted with Mr Fauntleroy, but he did not hesitate as to his duty, or the proper course to pursue, and, accordingly, had the information of the two appellants, as follows, taken down and sworn before him:—

"The information of John Dacon Hume, late of Pinnet Park, in the county of Kent, but now of the Custom-house, London; and of John Goodchild, surgeon, late of West-ham, in the county of Kent, but now of Elm-tree-row, Regent Park, Middlesex, taken on oath before John Edward Conant, Esquire, one of his Majesty's justices of the peace for the

county of Middlesex, this 10th of September, 1824.

"And these informants, each for himself, say, that in the year 1818, the above-named two informants and Henry Fauntleroy, banker, of Berner's-street, in the county of Middlesex, were appointed joint trustees by Francis William Bellis, of Oxten Cottage, in the county of Surrey, for the sum of 10,000*l.*, then vested by the said Francis William Bellis in the 3 per cent imperial annuities, in the names of the said three trustees, to be for the use and benefit of Susannah Bellis, the wife of the said Francis William Bellis, and his children; that the 10,000*l.* stock so purchased in the name of the said trustees, was deposited in the hands of the said Henry Fauntleroy, to be placed by him to the credit of the said Francis William Bellis, in his bank; that the stock so remained in the hands of the said Henry Fauntleroy, as informant supposed, he, the said Henry Fauntleroy, continuing regularly to pay the dividends thereof. That informant having had occasion lately to inquire at the Bank of England respecting the stock so standing, as he thought, in the names of the said trustees, he learned, with surprise, that the said stock had been sold out on the 13th of September, 1820, by George Edward Graham, under a warrant of attorney purporting to be signed by the above-named informants, and the said Henry Fauntleroy. That these informants have seen the power of attorney, and that the signature, 'Henry Fauntleroy,' thereto, is the proper signature of the said trustee, Henry Fauntleroy, but that the names of the above two informants, signed to the said power of attorney, are not their proper signatures, but are false, forged, and counterfeited. These informants, therefore, each for himself, charge that the said Henry Fauntleroy did utter the

said power of attorney, knowing the signatures of these informants there-to to be false, forged, and counterfeited; and these informants further charge, that the said Henry Fauntleroy knew that the said 10,000*l.* stock had been so sold out on the 13th day of September, 1820; for, that in a conversation which the said Henry Fauntleroy had, within a few weeks, with these informants, he stated to them, that the said 10,000*l.* stock was still standing in the names of the said three trustees, in the Bank of England.

(Signed) "J. D. HUME.  
"JOHN GOODCHILD.

"J. E. CONANT."

Upon this information Mr Conant instantly granted his warrant for the apprehension of Mr Fauntleroy, and placed it in the hands of Plank, the chief officer.

It was known that Mr Fauntleroy was the most general acting partner of the banking-house, and usually, when in town, nominally resided there. Plank, therefore, on receiving the warrant, went directly, about seven o'clock the same evening, to the house in Berner's-street, and inquired for Mr Fauntleroy, but was answered that the gentleman dined from home, and was uncertain what time he would return. Plank determined to await that time, whatever it might be, and accordingly walked about the street, near the house, with another officer, the whole of that night, and until seven o'clock in the morning. Mr Fauntleroy not having come home by that time, Plank took it for granted that he had taken his rest somewhere else for the night, and the officer therefore returned to his own house, having an appointment with Mr Goodchild, who was to call on him at nine; leaving, however, an officer still on the watch at Berner's-street. About ten o'clock,

his usual hour of business, Mr Fauntleroy was seen to enter the banking-house, and information was dispatched to Plank to that effect. Plank instantly proceeded, accompanied by Mr Goodchild, to Berner's-street, and on his way Plank took the precaution of calling on a tradesman, and getting from him a check on the banking-house of Marsh and Co., of 10*l.* for 10 sovereigns, saying that he wanted to send a 10*l.* note into the country. This precaution the officer took, in order, as he did not intend to enter exactly with Mr Goodchild, to have a pretext for delay in the counting-house, to get payment of the check, until he should see Mr Goodchild in conversation with Mr Fauntleroy. When Plank, however, entered the bank, immediately after Mr Goodchild, he saw this gentleman in a small office at the end of the counting-house, speaking to a gentleman seated at a desk, whom he knew to be Mr Fauntleroy. The officer did not, therefore, wait to present his check; but pushing on instantly by the clerks, saying that he wanted to speak one word to Mr Fauntleroy, he entered the place where the latter and Mr Goodchild were in conversation; and, closing the door, made known his name and business at once, at the same time producing his warrant. Mr Fauntleroy became dreadfully agitated, and exclaimed, "Good God! cannot this business be settled?" Plank begged of him to make no noise, but to walk out quietly for a few minutes, and they would there talk about a settlement. Mr Fauntleroy then signed a few blank checks with a very unsteady hand; and giving them to one of the clerks, told him he should go out for a few minutes, and putting on his hat, walked out without observation by the side of the officer, who immediately conducted him to the private house of

**Mr Conant.** Mr Fauntleroy being now fully aware of the dreadful situation in which he was placed, expressed a desire that the principal clerk at the banking-house should be sent for, that he might give him some directions about the business of the day, which would otherwise be thrown into confusion, as it was not likely that any of the other partners would call in, it being his day of attendance.

Mr Conant consented to the clerk being sent for, on the condition that any conversation that passed between them should be in the presence of the officer, to which Mr Fauntleroy readily assented; and when Mr Tyson, the clerk, arrived, the only conversation he had with him was to desire that he would instantly send for Mr Graham, who was in town, and also dispatched an express to Bognor, for Mr Stracey, who was sojourning there, to come to town instantly.

By this time Mr Hume, Mr Goodchild, and Mr Freshfield, one of the solicitors to the Bank of England, were in attendance, and Mr Fauntleroy being placed in proper security, Plant proceeded, accompanied by Mr Freshfield, to make search at the banking-house amongst the prisoner's papers for any documents that might throw farther light on the practices with which he was charged. When arrived at the bank, Mr Graham had by accident just entered, and on learning the situation of his unhappy partner, he was thunderstruck for the moment, and scarcely able to articulate. Mr Graham had not well recovered from his shock, when Mr Marsh, a very elderly gentleman, another partner, came in, and the unfortunate affair being disclosed to him, he dropped into a chair and became almost insensible from the shock. These two gentlemen now threw open every place, and gave facility to the search of the

officer, declaring that they had no object in secrecy, and that the whole of their affairs and transactions should be open to a thorough investigation. Plank made the necessary search, but found no papers of any consequence to the case under investigation. Mr Graham then accompanied Mr Freshfield and Plank to Mr Conant's house, and the following farther investigation and depositions were gone into.

And first, the information of Messrs Hume and Goodchild, which we have above quoted, was put into the former depositions, to which these gentlemen were again sworn.

Mr Freshfield now produced the power of attorney alluded to in those depositions, under which the 10,000*l.* stock was sold out of the Bank of England. This warrant of attorney was dated the 7th of September, 1820, and drawn up in the usual form of such documents, and was signed,

“ HENRY FAUNTLEROY.

“JOHN D. HUME.

"JOHN GOODCHILD."

"JAMES TYSON,  
"WM. PRICE, } Clerks in the Bank-  
ing-house of Marsh,  
Stracey, and Co."

Witnesses to the signature of Henry  
Fauntleroy, and also witnesses to  
the signature of J. D. Hume.

The signature of Mr Goodchild purported to be witnessed by the Reverend Charles Hardinge, vicar of Tunbridge, and by John Mason, servant to ditto.

James Tyson was now sworn, and deposed that he was clerk in the banking-house of Marsh and Co., that his attestation to the signature of "Henry Fauntleroy" is genuine, and was written by him on the 7th September, 1820, when he witnessed Mr Fauntleroy signing this document at his request; but that the words, "Clerks in the Banking-house of Marsh and Co.," and the words, "Also witnesses

to the signature of J. D. Hume," were not then written, and are the proper handwriting of the prisoner. This witness farther deposed, that he never did witness the signature of Mr Hume to an instrument of any kind.

George Edward Graham deposed, that he has been for some time a partner in the banking-house in Berner's-street, with the prisoner; that on the 13th of September, 1820, the prisoner handed him the power of attorney now produced, with directions to sell out the 10,000*l.* 3 per cent imperial annuities there described; that he did so sell out his stock, and placed it to the credit of the prisoner's private account.

These were the whole of the depositions taken on that day; and upon them Mr Conant committed the prisoner to the House of Correction, Coldbath-fields, for re-examination.

The prisoner being thus disposed of, his partners were naturally extremely anxious to know the real situation of their affairs, which had been so much under the management of a person charged with an extensive forgery, and solicited strenuously to be allowed an interview with him, in order to ascertain if this 10,000*l.* was the only ground of charge against him; for if so, they had no dread of their own stability. Mr Graham was particularly pressing upon this point, because, as he openly and candidly at once told Mr Freshfield, he recollected having sold out other stock to large amounts for the prisoner, under powers of attorney of the same sort.

Mr Conant did not, however, feel it his duty to permit, under present circumstances, any person whatever to visit him.

On Saturday morning, at four o'clock, Mr Stracey arrived in town express from Bognor, and on that day again the application was renewed, and again refused for cogent reasons.

## ENTRY OF CHARLES X. INTO PARIS.

(From the *Journal des Debats*.)

Paris, Sept. 27.

At 25 minutes after 11, the King stepped into his carriage at St Cloud. Arriving at Porte-Maillot, his Majesty mounted his horse, notwithstanding the heavy rain. The procession then moved forward in the order announced.

The King arrived at half past 12 at the barrier l'Etoile, where the municipal body was assembled. The Prefect presented to his Majesty the keys of Paris, and addressed him in these terms:—

"SIRE,—The aspect of your Majesty comes to dissipate the funeral veil which covers these walls. The immense population wept for their father; to-day they recover their King, and, as in times past, they have wholly surmounted their grief. Beloved Sovereign, you will see them faithful and unanimous, manifesting their joy. You have reigned for some days, Sire, and the dignity of the royal family is already extended; the great thought of the state fortifies itself even in the centre; and repeated acts of clemency and goodness signalize the happy commencement of your reign. Enjoy, Sire, your first benefits, enjoy the scene offered to your view. Confidence has entered the heart; credit is extending; everything takes a new life, and opinions are united, mingled in one sentiment of hope and love, as on the ever-memorable day when the capital received you, Sire, and carried you to the palace of your ancestors: Sire, the Magistrates of Paris come to the threshold of its gates to place this faithful city under your august protection. Your Majesty permits us to expect this, and your royal words are



engraved on all hearts. Surrounded by princes of your illustrious house, escorted by the glory of France, you are going, Sire, to enter these walls. Our ancient monuments seem to pride themselves in adding another king to the ancient dynasty which founded them, to the long list of the kings your ancestors, all of whom were pleased to embellish and to promote the prosperity of their capital. Proud of being the cradle of the most noble and most glorious family of the universe—proud of possessing its new king, Paris may aspire to the character of the queen of cities, by its magnificence, as its people will be before all others in their fidelity, their devotedness, and their love. Accept, Sire, these keys, the marks of its submission and its respect; allow us to lay them at your Majesty's feet, as we there lay the homage of the transports and of the unanimous sentiments of this immense multitude, who have hastened forth to see their king. *Vive le Roi!*"

The King replied—

"I leave the keys in your care, because I know that I cannot commit them to more faithful hands. Keep them, then, gentlemen, keep them."

"It is with sentiments of deep sorrow and sincere joy that I enter within these walls, in the midst of my good people—of joy, because I know well that I wish to occupy myself in consecrating my life, to my last hour, to secure and consolidate their happiness."

A discharge of a hundred-and-one pieces of cannon announced the *entrée* of the King.

Notwithstanding the rain, which continued during the whole of the morning, the Champs Elysées were filled with an immense crowd of persons, who made the air resound with their joyful acclamations. When the procession reached the entrance of the *avenue de Marigny*, the rain ceased, and did not begin again till the King left *Notre Dame*.

The Boulevards, the streets, and the quays, were thronged with people as if it had been the finest weather. All the houses were decorated with white flags and *fleur de lys*. The King marched with a slow step. The enthusiasm inspired by his presence it is impossible to describe. On every side, nothing was heard but shouts of, "Long live the King!"—"Long live Charles X.!"—"Long live the Dauphin!"—"Long live the Bourbons!" The Monarch evinced the pleasure he experienced by the affable manner in which he saluted his people. His Majesty deigned to receive, himself, with the most gracious condescension, more than four hundred petitions which were presented to him. The King often spoke to the officers, and even to the National Guard. The ecstacy of the whole population was at its height. This was a holiday—a day of general happiness—destined to be for ever memorable in our annals.

The King arrived at *Notre Dame* at ten minutes after two. His Majesty was received by the Archbishop, who addressed him on the occasion as follows:—

"Sire, all hearts hasten before the King at his return to his capital; grief and respect can no longer restrain the joy and the transports of your people. Tears give place to other tears, and acclamations succeed to deepest silence. Sire, it is love which weeps, and it is love which now rejoices. Before mounting to the palace of your fathers—before taking that repose which will also be ours, your Majesty comes this day, in the most splendid manner, to raise religion, beaten down by the same blow which struck his Most Christian Majesty. It is your will, Sire, that it should be the first to receive that consolation which you bring to all. May it bless you. Enter into its sanctuary—come and give it your royal hand—and receive from its faithful mouth the promise of its divine gratitude."

For us, Sire, who are its ministers and your subjects, we beg of you, Sire, on the threshold of his temple, to receive with favour the respect and the vows which I, at this moment, am so happy and so honoured in offering to your Majesty in the character of your first pastor. Deign also, Sire, to accept all those of the venerable prelates, who share the labours and the solitudes of my Episcopacy. Permit, finally, Sire, that the Clergy and Chapter of the Archbishopric of Paris swear to you, before the living God, and in the front of his sacred altars, the faith and homage they have preserved to your illustrious brother."

The King replied—

"Sir, my first duty, as it was my first care, on an occasion so afflicting to my heart, was to prostrate myself before the Lord, to solicit from him, through the intercession of the Holy Virgin, the strength and courage necessary to enable me to fulfil the important task which has been imposed upon me. Without him we are nothing; with him we can do everything. Assist me, gentlemen, with your prayers; I solicit them not so much for myself as for France, which my brother has rendered so happy. Yes, notwithstanding the grief I feel, I am confident that, with the support of the Most High, I shall succeed not in making you forget the loss which you have sustained, but at least in softening its bitterness."

The King was then conducted to the place reserved for him. After *Te Deum*, the procession returned to the Tuileries, by the quays and streets already mentioned. In passing before the Louvre, by the Pont des Arts, his Majesty observed the Marquess de Autichamp, governor of the Louvre, whose great age had prevented him from being present at Notre Dame. His Majesty approached this old scr-

vant, spoke to him, and took him by the hand.

The King reached the Chateau at a quarter to four.

## OCTOBER.

### CORONER'S INQUEST ON MR SADLER.

2.—The Coroner (John Hargreaves, Esq.) and jury assembled at about ten o'clock yesterday (Friday) morning, and forthwith proceeded to a view of the body. The face was livid—the eyes of a dark purple—and the head presented a frightful spectacle.

Thomas Varley, of the parish of Church, plumber and glazier, examined. On Wednesday afternoon last, I observed a balloon in the air, and I set out with an intention of going towards it. I ran to the gate of a field, and there I saw a man hanging by one leg from the car attached to the balloon, which descended within about ten yards of the ground, and there the man fell; the balloon then again ascended, and I saw no more of it; I went to the man who had fallen, but he appeared to me to be dead; he was lying on his right side, which was very black, and his tongue was out of his mouth, and quite black; he bled at one ear.

David Aitkin, clerk to Messrs Simpson and Co.—On Wednesday afternoon, about half past two o'clock, I observed a balloon in the air; it then appeared about the size of a hat; in about one minute after I saw it, it struck the ground, and rebounded to a great height; it then gradually descended, and came almost down to the ground; at this period the anxiety of Mr Sadler appeared most intense; he and his companion were lying flat on the car, calling out to me, "Get hold of the rope,

get hold of the rope." I made an effort to get hold of it, but in consequence of the strong wind, it got out of my reach in a moment: I lost sight of it for some time, and shortly afterwards I saw it again; it was ascending, and soon disappeared; I then proceeded to the place where I heard the deceased had fallen; he was lying on the ground, surrounded by a great number of people; I attended the removal of the body to the public-house, where the deceased now is, and was present when the surgeons examined the body.

Robert Mercer.—I distinctly saw the car strike against the chimney of a house near the meadow; a man was then thrown from the car, and was suspended by one foot until he fell; the chimney was thrown down by the shock. Whilst the deceased was suspended by the leg, the balloon passed near other buildings, and I think it probable that whilst he was in that situation, he was struck against the chimney of one of those buildings; I think that more probable than that the deceased was hurt by the car striking against the chimney which was thrown down.

Mr James Muir, surgeon, of Ackrington.—I attended the deceased on Wednesday last; a large fracture appeared on the right side of the head; the bones were completely driven into the brain; one rib was broken; the deceased lived until eight o'clock yesterday morning; the fracture and the injury down to the brain were, in my opinion, quite sufficient to cause death; these injuries, I think, were received by means of the deceased being struck against a chimney, or some building in the progress of the balloon, and not by the fall out of the car; I suspect the body struck the chimney at or before the time that the car did. Verdict—"Accidental Death, by being

struck against a chimney." Deodand upon the balloon and car, 2s.

BALLOON HOAX.—A great number of persons assembled yesterday to witness the ascent of a balloon from the Green Man (Kent-road). The balloon was described as the "largest in England;" but at four o'clock, the time fixed for the ascension, it was announced that, owing to an accident to the apparatus, the aerial journey was postponed. It was stated that the balloon was the old *lawn* one formerly belonging to Mr Graham, and which he found it impossible to set in motion.

#### MARQUIS OF HASTINGS.

At a Court of Directors, held on Wednesday, the 3d September, 1823, Minutes of the Secret Courts of the 30th July last, and 13th and 20th ult. were read, and ordered to be recorded on the public minutes, the same being as follows, viz. :—

At a Secret Court of Directors, held on Wednesday, the 30th July, 1823—A member of the Court gave notice, that on Wednesday, the 13th August next, it is his intention to call the Court's attention to the services rendered by the Marquis of Hastings, in the office of Governor-General of India.

At a Secret Court of Directors, held on Wednesday, the 13th August 1823—A member of the Court, in reference to the notice which he gave on Wednesday, the 30th ult., postponed to some future day the fulfilment of his intention of calling the Court's attention to the services rendered by the Marquis of Hastings in the office of Governor-General of India.

At a Secret Court of Directors, held on Wednesday, the 20th of August, 1823—A member of the Court, advertent to the notice he gave on the 30th ult., stated, that he should, on

Wednesday, September 3, fulfil his intention of calling the Court's attention to the services rendered by the Marquis of Hastings, in the office of Governor-General of India.

A member of the Court, advertg to the notice given by him on the 20th ult., then proposed the following motion, viz. :—

“That this Court, taking into consideration the zeal, ability, and disinterestedness manifested by the Most Noble the Marquis of Hastings in the conduct of the East India Company's affairs, during the whole of the period for which he has presided over the British interests in India, are of opinion, that, as a mark of the high sense entertained by the Court of his Lordship's merits and services, an annuity of 5000*l.*, to issue out of the territorial revenues of India, for the term of twenty years, or for the duration of the Company's charter, to commence from the day of his departure from India, be granted to trustees, for the benefit of the Marquis of Hastings and his family, to be applied and paid in such manner, and for such uses, as the Court may determine.”

Whereupon a long debate ensued ; in the course of which it was moved, “That this Court do now adjourn.”

And the question thereon being put by the ballot, and the numbers appearing to be equal,

The Chairman declared the question to be lost, under the provisions of the act of the 53d Geo. III. cap. 155, sec. 77.

The question on the original motion being also put by the ballot, and the numbers thereon appearing to be equal,

The Chairman declared the same to be lost, under the provisions of the act above-mentioned.

At a Court of Directors, held on Wednesday, the 17th September 1823, a member of the Court gave notice,

“That on the 8th of October he shall bring before the Court a motion to take into consideration the services of the Marquis of Hastings.”

At a Court of Directors, held on Wednesday, the 1st October, 1823, the notice given by a member of the Court on the 17th ult., of a motion to take into consideration the services of the Marquis of Hastings, which stood for the 8th instant, was, with the Court's consent, withdrawn ; and the same member stated his intention of bringing the subject forward on a future day.

An immense mass of papers are published by the East India Company, relative to certain pecuniary transactions which took place between a house of British bankers at Hyderabad, and the native court of the Nizam, during the government of the Marquis of Hastings, and which seem to have been looked upon by the Court of Directors as affecting very seriously, if not his lordship's personal character, at least the correctness and general merits of his administration. It appears from them that the house of Palmer and Co. bankers, at Hyderabad, were countenanced by the government of Lord Hastings, in advancing large sums by way of loan to the court of Hyderabad ;—that the Company at home were not satisfied either with the imperfect explanations received from the Governor-General in Council relative to these transactions, or with so much of the nature of them as could be understood from his dispatches ; that Sir William Rumbold, a ward, or some other intimate connexion of Lord Hastings, who had accompanied his Lordship to India, was a partner in the banking-house of Palmer and Co. ; that by an act of Parliament, no British subject can embark in pecuniary transactions with any native power without incurring severe penalties ;

that; in the opinion of the Court of Directors, a licence from the Bengal government to the banking-house, exonerating them from the risk of such penalties, was granted without an adequate necessity, and was abused by the bankers, in terms of their contracts with the Nizam, and in the exorbitant interest for which they stipulated—"to purposes injurious to the interests of our ally, and discreditable to the British character." The ground on which the continuance (though not, perhaps, the original employment) of those means of raising supplies for a native power, are vehemently condemned on another consideration, viz. their being destined to provide for the pay and establishment of auxiliary native corps, *disciplined after the European manner*, and commanded by officers from Europe, an object which, it appears from the correspondence, the Court of Directors could not meditate without profound alarm. The correspondence is maintained on the part of the Company in a tone of severity almost unmeasured. In their letter of November 28, 1821, they tell the Governor-General that he has exhibited "not an assumption of discretionary power, on the part of the local government, to *suspend* the execution of instructions from home, but an assumption to do what you please, and to communicate to us just so much of what you have done as you may see fit. And on what ground does this assumption rest? That we are not qualified to draw right conclusions from the information which is laid before us, but that, from ignorance of all that we ought to know, it is not only unnecessary, but unsafe, to put us in possession of the materials of knowledge. We should be unworthy of the station we hold, if we did not strongly condemn such proceedings defended by such allegations." This is pretty stiff language, and is accompa-

nied by the charge that Lord Hastings had, in substance, though not in words, lent the credit of the Company to the pecuniary transactions with the Nizam. It is further stated, that Messrs Adam and Stuart had opposed, uniformly but vainly, the whole course pursued by the Governor-General relative to these proceedings. The reply of Lord Hastings in 1823 is designed, apparently, as a justification of his own official conduct, and a reprehension of the Court of Directors. The defence of the acts which were impugned by them is rested on the exigency of the crisis—on the peril of the war which raged over central India—on the intrigues at Hyderabad against the British interest—on the equity of the transactions in which the house of Palmer had engaged—on the moderation of the terms which they exacted—and on the necessities of the public service.

13th.—Manchester has been in a state of extreme agitation, on account of a terrific accident which has occurred. About nine o'clock, part of the uppermost floor of the fire-proof cotton-factory in Salford, recently erected by Mr Nathan Gough, gave way, owing, as is supposed, to the breaking of two of the iron-beams by which it was supported. The bricks, of which the floor was composed, together with the machinery upon it, and the fragments of the iron-beams falling upon the next floor, carried down a portion of that also, and so on to the next floor, down to the ground-floor of the factory, which is six stories high, burying in the ruins all the work-people who happened to be standing on those parts of the floors which gave way. About 250 persons, principally children, were employed in the factory; and the scene, for some time after the accident, was dreadful beyond description. The thick cloud of dust raised by the fall of the

arches, rendered it impossible for some time to see the extent of the mischief, or to form any conjecture as to the number of persons who had suffered by it. Parents were running about in every direction, in a state of distraction, calling for their children, and wringing their hands when none answered them. At first few persons dared to go near the scene of mischief, from a fear lest the other parts of the floors, or the walls of the building, which were considerably shaken, might fall upon them. After a short time, however, seeing that no further fall took place, a number of men were induced to lend their assistance to extricate the unfortunate persons who were buried under the ruins. A number were got out alive, but all more or less injured; and about twenty dead bodies, chiefly of women and girls, were dug out of the rubbish.

“ Missolonghi, 30th July,  
(11th August) 1824.

“ With deep regret have we heard of the death of Lord Charles Murray, son of the Duke of Atholl, at Gastouni, on the 11th August (new style,) at 10 A. M. His death was occasioned by a most violent pain in the regions of the head. He was aged 25 years, and, although so young, had evinced from the moment his foot pressed our country, the most noble and philanthropic sentiments, with an ardour to fulfil them as far as lay in his power.

“ Before leaving this place for the seat of government, he had united his name to that of our countrymen, and had furnished the means of erecting a battery on our frontier line, to which is given the name of one of his most illustrious relatives.

“ After remaining some days with the government, he set out on his return to this place; death overtook him at Gastouni.

“ Mr Georgio Sessini, in whose house he was lodged, paid him every

attention and assistance, for which the nation owes him her thanks. So soon as our governor, Prince Alexander Mavrocordato, heard of it, he immediately entreated Dr Julius Mellingén to set off for Gastouni, and endeavour to save the life of the noble lord. Fate, however, decreed that he should arrive one hour after Lord Charles had died.

“ His body was interred on the 12th instant. General Constantine Bozzaris and Georgio Sessini, all the Suliotés, and the whole population, followed him to the grave. The Archbishop Chirilo pronounced his funeral oration:

“ Deep is the regret which the loss of this illustrious personage has occasioned; the ardour he displayed for our cause will rest long and deep in the heart of every Greek.”—(*Extract from the Greek Chronicle.*)

#### ALGOA BAY.

We annex an extract of a letter written by one of the new settlers at Algoa Bay. There will be found several inconsistencies, which we do not pretend to reconcile, in the writer's statements, but it is obvious that the prospects in that settlement, which proved so disastrous to those who first ventured thither, are materially improving.

“ Port Elizabeth, Algoa Bay,  
June 18, 1824.

“ We are now becoming in some degree settled here, and the colony is so far improved, that none who now come out would incur any risk of encountering the difficulties we met with at first. The way is now paved, and persons with moderate views, and a capital of five hundred pounds, would soon become independent. For labourers, in particular, great advantages present themselves, and the people of that class already here really feel themselves of so much importance, that they are, in demeanour at least, like the nobility

of the country. Though I pay them very high wages, I am compelled to use urgent entreaties to get anything done; and at this moment, so important a person is our cobbler, that I can neither get a pair of shoes mended for love nor money. The only drawback on the labouring class is the heat of the middle of the day for about four months. The cautious Dutch sleep in the middle of the day, but the English labourers spend their time drinking, and are, therefore, generally incorrigible drunkards. Printing is at present prohibited here; but we expect that the next arrivals from England will bring out an order to remove that prohibition. Indeed, the obstacles to improvement here are so temporary, that they are hardly worth alluding to. Almost all the individuals here who are in authority are half-pay officers, and very far from sagacious in what concerns the management of an infant colony. You may take a specimen of their political sagacity. We have but one butcher in Port Elizabeth: another butcher applied to the Land-drost (a colonel) for permission to begin business, but this officer told him he did not see any occasion for two butchers. The climate here is better than at Cape Town, and, for my own part, I had rather settle my family in the country than in a large town. I should do very well indeed, if I thought only of myself, and not of making provision for my family, whom I long to have with me; but I tremble at the risk of placing them here, until I have a home fit for their reception. I am, therefore, straining every nerve to improve the land I have got, and to build a house. I have already enclosed my land at considerable cost, and have built some small houses for the accommodation of the workmen. I am now projecting the building a good house for myself, which I hope to be able to accomplish for the small

sum of 150*l*. I have, at present, nothing but out-goings, and have derived no benefit yet from the produce of my land. I do not expect to get produce from my garden till near September, and I have constantly one man at work, and have sometimes employed several.—Clothes are excessively dear. My flock of sheep and goats have greatly diminished, and we have not sufficient shelter for cattle in the rainy season, and from this cause I lost, lately, three cows out of ten. You will say I have not managed badly to get on as I have. I have five horses, a chaise, and cart; but I have never had a ride in my chaise, although I brought it with me from Cape Town, for I can get no servant to wait upon me. The necessaries of life, however, are extremely cheap. If you cannot get roast beef in England, come here and you will have your sirloin at two-pence per lb.; besides which, you will have grapes, peaches, melons, &c., and wine for about 3*d*. a bottle. We hope for a free trade here, and no military superintendence. We are all true John Bulls, and hope to have the Covent-garden election one day or other."

## NOVEMBER.

### FATAL DUEL.

3*d*.—We regret to learn, that on Saturday morning, a duel was fought in the vicinity of the North Queensferry, between Captain Gurley and Mr Westall, which proved fatal to the former, who was shot through the heart.

We have collected the following particulars respecting the above duel:—The parties, who were Captain Gurley and a Mr Westall, the latter having been lately connected with the firm of Fisher and Co., lace merchants, London, had been at the Don-

caster races, where Mr Westall lost a bet with Captain Gurley of seventy guineas. At the same races, Captain Gurley lost a bet with a friend of Mr Westall's. The parties very lately met together at the Black Bull Inn of this city, when, after a most friendly recognition of each other, Captain Gurley reminded Mr Westall of the bet which he, Mr Westall, had lost. Mr Westall again informed the captain, that he was authorized by his friend to set the one bet against the other; upon which Captain Gurley called him a swindler, to which Westall replied, by calling the captain a liar. The captain then seized a poker, and aimed a blow with it at Westall's head, but the weapon descended upon his shoulder, and with such force, that it broke in two. Mr Westall was rendered insensible by the blow; but when he recovered, he went into the coffee-room, where he indulged in the most abusive language against Captain Gurley. A challenge ensued, and Salisbury Crags was chosen as the place for deciding the quarrel next morning. At the time and place fixed, the parties, along with Captain D——, as Captain Gurley's second, and a medical gentleman, appeared. But Mr J——, who had been employed to act as Mr Westall's second, was absent, in consequence of his attendance having been prevented by indisposition of his father, who had come to the knowledge of what was intended. In consequence of that gentleman's absence, it was arranged between the parties that they should adjourn to North Queensferry, in order to afford Mr Westall an opportunity of engaging another second. Captain Gurley, his second, and the medical gentleman, accordingly, repaired to South Queensferry, and were about to push from shore in a boat when they observed a carriage approaching, for

which they waited. This carriage contained Mr Westall and Mr D—— S——, who had agreed to act as Mr Westall's second. They were received into the boat, which conveyed the whole company across, and on the heights above North Queensferry this tragedy was completed.

*From the Hampshire Telegraph.*

10th.—This morning his Majesty's discovery ship the Griper, Captain George F. Lyon, most unexpectedly arrived at this port, and ran into the harbour, direct from Davis's Straits, with the signal of distress flying, having lost all her anchors and cables in fruitless endeavours to get into Repulse Bay, whither she was under orders to proceed, for the purpose of co-operating with Captain Parry in search of a north-west passage. The circumstances which have led to the failure of this branch of the north-west expedition are attributable to stormy and severe weather, which prevailed in a more intense degree than the oldest northern navigator remembers, and to the extraordinary bad qualities of the ship for the purposes required. It appears that the Griper left Stromness on the first of July, and made Cape Chudleigh (on the Labrador coast) on the 2d of August, having fallen in with icebergs three days previously, and from which time she was beset with drift ice. In this passage she was found to make so little progress, that the Snap (her provision tender) was frequently obliged to take her in tow. From Cape Chudleigh the Griper was obliged to stretch to the northward, to Resolution Island, as the field-ice prevented progress up Hudson Strait; they were, however, enabled to make slow advances to the westward, close to the Savage Islands, until they made Salisbury or Nottingham Island, but which place could not be ascertained



from the impossibility of making observations off the Upper Savage Islands. Some canoes of natives came off to them, who appeared to be of the same description of Esquimaux with which our navigators were before acquainted. They were dismissed with liberal presents, and appeared much gratified. From Salisbury Island the Griper proceeded to the south point of Southampton Island, in which they were assisted by a strong current setting down Fox's Channel; but on their rounding Southampton Island, this current, which then came down Sir Thomas Rowe's Welcome, (up which they wished to proceed,) was directly against them, and nearly caused their shipwreck. Southampton Island was found to be laid down with tolerable accuracy. Off the south-west end of the island the Griper was obliged to anchor, in consequence of suddenly shoaling her water: in a gale of wind she parted one anchor, but brought up again with three anchors a-head, in quarter less four fathoms water; when the tide fell, the sea was so heavy that the rudder continually struck the ground, and was lifted almost out of the gudgeons; this was on the 1st of September. On the weather moderating, the Griper proceeded up the Welcome, but a northerly gale of wind springing up, the ship was driven into Hudson's Bay. However, by perseverance, and taking advantage of every favourable breeze of wind, she reached Cape Fullarton, the larboard entrance of Wager River, and within about sixty miles of the spot (Repulse Bay) where she was intended to winter. The coast on the American mainland was found so rocky and extremely dangerous, that she was obliged to stretch off for Southampton Island, whence she endeavoured to make for Repulse Bay, but was driven by the tide directly to the southward and westward, against what was supposed to be Wa-

ger River. Here strong breezes and a heavy snow-storm set in, which made it necessary that the ship should be brought to with three anchors a-head and made snug. The sea rose rapidly, and broke over the ship with tremendous force, forming thick coats of ice in an instant, so as to connect the shrouds together half way up the rigging. The snow also fell so fast that the men had much difficulty in keeping the decks clear. The ship all this time pitched so dreadfully, that the cables came over the bumpkins, one of which was thereby broken. During the night, a large stream of ice was discovered coming down upon the ship, but, most happily, it parted before it reached her, and some small portions of it only struck against the bows, which did no damage. The wind continued to increase, as well as the snow; at five o'clock in the morning the starboard cable parted, and, on the ship swinging to the other three anchors, she was struck by a sea and parted from them all. Her situation at this time was the most perilous that can be imagined, every individual momentarily expecting that she would drive on shore. Means of preservation, however, were not neglected; the trysails were got on her, though it was so dark that no object could be discerned, and they did not know so much as which way the ship's-head lay, from the compasses having ceased to act, the ship being, as it is supposed, directly over or near the Magnetic Pole. Whilst presuming, in this distressing dilemma, that the wind had shifted off the land, as the water deepened, a sight of the sun, and subsequently of the other celestial bodies, was obtained, (of which they had had no view for some days,) and the ship was found to have been drifted out of the Welcome, after having attained lat. 65. 30. There was at this moment no anchor left in the ship. Notwith-

standing, it was determined, if possible, to winter about Chesterfield Inlet, or even to the southward of that spot. The persevering efforts of all on board were accordingly directed to gain the American shore, but finding that the ship got into the shallows of Hudson's Bay, they were reluctantly compelled to edge away for Salisbury Island, still hoping that a few fine and favourable days would restore to them their lost ground. The bad weather, however, still continued, and there was much difficulty in watering the ship at these places, from a stream of ice. A number of natives came off to them in their canoes, and trafficked their clothes for iron and spears. At length the hopeless continuance of bad weather, the wretched condition of the ship, (from her incapacities,) the officers and crew having suffered more hardships than on any previous voyage, the advanced stage of the season, with numerous other concomitant miseries, compelled Captain Lyon to consent that the ship should be got out of Hudson's Straits, (an extent of 800 miles of dangerous navigation;) which place they had scarcely cleared, when a southerly gale drove them up Davis's Straits, 150 miles to the southward of Resolution Island. Providentially, a change of wind enabled them soon after to proceed on a southern passage homeward, and the Griper arrived here in six weeks, in the state we have described.

Though little has been effected towards solving the geographical problem of a north-west passage by this voyage, yet some most interesting elucidations of the deviation of the compass have been brought to light. The compasses began to waver and contradict each other when abreast of the Savage Islands; and, as the ship got to the westward, the compasses got unsteady and useless. While the ship was in Sir Thomas Rowe's Welcome,

they frequently would not traverse at all, but stood in whatever position the card was placed. Should a passage be discovered by Captain Parry through the Prince Regent's Inlet, it is considered more than probable, from the irregular movements of the ice, that it may never be entered again.

The Griper spoke several whalers, all of which had been unsuccessful in the fishery; no ship had more than two fish, and many none whatever. From the Captain of the *Phoenix*, whaler, Captain Lyon heard that Captain Parry's expedition had been in the middle of August, in lat. 71° beset with ice. On the whole, the season has been more boisterous, and, consequently, the sea less clear than it has been known for thirty years. It was very questionable if Captain Parry would be able to reach Lancaster Sound. Had the Griper effected a wintering either in Repulse Bay or Wager River, or Chesterfield Inlet, Captain Lyon, with a strong party, would have made a land journey to Point Turn-again, near the Copper-Mine River, a distance of nearly 700 miles, for which expedition they were fully equipped. Captain Parry, if he succeed in passing Lancaster Sound, and getting to the southward, down Prince Regent's Inlet, (by which Captain Lyon was next year to communicate with him,) he will send a land expedition, if possible, in the same direction, as well as to Repulse Bay, in the hope of communicating with the Griper.

The Griper communicated with the Esquimaux natives of the Upper Savage Islands, and of Salisbury and Nottingham Islands, all of whom had frequently seen Europeans. They were less savage in their habits and manners than their more northern brethren, but they showed a strong thievish disposition; they endeavoured to steal the oars and iron work from the

boats. The Griper also communicated with the natives of Southampton Island, who had never seen a ship before. They, however, expressed very little surprise; they evinced more gentleness in their manners than any other of the Esquimaux tribes, and were much better-looking and cleaner in their persons; the women were rather pretty. All those people reside in the Walrus-hide huts, which are described in Captain Lyon's last voyage.

The Griper is ordered to be paid and sold out of the navy. A vessel better adapted to the peculiarities of the service will no doubt be provided for Captain Lyon and his meritorious officers and crew, on the opening of the season for a further investigation. Captain Franklin, we understand, is to leave England, on his land expedition, in February next.

#### FIRE IN FLEET-STREET.

15.—At about three o'clock yesterday morning, the most indescribable alarm and confusion prevailed amongst the inhabitants of Fleet-street, occasioned by one of the largest and most destructive fires that have occurred for some years back. The watchman of St Bride's parish, whose station is on the south side of the street, near Bride's-passage, opposite almost to Shoe-lane, observed some smoke issuing from under the shop door, and through the joints of the shutters of the premises of Mr Bond, the linen-draper, No. 87. Some other watchmen came up, and set about alarming the inmates of that and the adjoining houses, by knocking at the doors, springing their rattles, and calling aloud, "Fire! fire!" whilst others hastened for the engines. The first engine that made its appearance was that belonging to the parish, which was brought by George Smith, the

engineer, to the spot before the fire burst through. Smith, with a deal of activity, forced open the door, by applying a pole-axe to the lock, and in an instant a vast body of flames burst through the shutters, and ascended with terrific fury. At this time not more than seven persons were present, all of whom exerted themselves by pulling up the pavement to procure water from the main, but their object, we regret to say, failed, and it was full twenty-five minutes before any turncock was to be found, when two made their appearance, and the water was then put in requisition in very great quantities. During this delay, the devouring element had gained such an alarming ascendancy, that all attempts to rescue any of the stock in trade were found to be impracticable, as the flames had entered the first floor. The agony of the persons assembled may be better imagined than we can describe, as none of the inmates were to be seen; and, strange to say, the occupiers of the adjoining houses were also invisible, although the uproar caused by the watchmen alarmed those of the opposite houses. The house of Mr Bond, in less than twenty minutes from the first alarm, presented one mass of fire, which, bursting through the roof, and the wind blowing a heavy gale from the S.W., spread in one huge sheet, and the houses of Mr Hill, the chemist and druggist, and Mr Mattress, the hairdresser, were included in the destructive scene. The flames spread over to Carlile's house, at the corner of Bride-passage, the attics of which, and the floor underneath, were discovered to have caught fire. The Alliance, Norwich Union, Guardian, West of England, Union, Beacon, Hand-in-Hand, and the Sun fire-engines, by this time arrived, and being stationed in front of the burning buildings, were soon put in motion; but, notwithstanding the combined efforts of

the firemen to check the devouring element, the adjoining house to the left, Messrs Pitman and Ashfield, oilmen, at about a quarter before four, was numbered in the conflagration, as was also Mr Marriott's, the furnishing ironmonger. The spectacle was now awfully grand, the flames illuminating the horizon for a considerable extent, and spreading their devastation with incredible velocity. Several attempts were made to save part of the stock and furniture of the houses, but all proved ineffectual, such were the disastrous effects of the flames. It was thought that some of the families had perished and were burned in the ruins, but some persons in a state of nudity were seen running along the tops of the adjoining houses, and were rescued from their impending danger. A lady was taken from an attic window of one of the houses in the rear, and in a few moments after, the roof fell in with a tremendous crash. She was conveyed into the church, where she was promptly attended, and soon recovered from the fright she had experienced. Such was the intense heat of the ground and church-yard, that the persons engaged in saving what part of their property they could, and depositing it in the church, were obliged to make circuitous routes to get to it. At half past four, Mr Marriot's extensive premises, which run back into Bride's Passage, were entirely in flames, and communicated to the houses of Mr Smith, a tailor, and Mr Mercer, the printer of the British Traveller, evening paper, which in a few seconds were on fire from top to bottom. It was now thought expedient by the firemen to turn their attention to the adjoining houses, and torrents of water were thrown upon them to check the farther extension of the fire. Fortunately, a strong party-wall of the house of Mr Phene, the confectioner, saved his premises, and the court on the extensive

other side had a similar effect, as regards Messrs Davenport and Co.'s china warehouse. The confusion in the court was dreadful, as it was imagined, from the glare, that half Fleet Street was on fire, and persons were seen running about in their night-clothes in the greatest despair, and depositing their little property in the church. A curious circumstance in the course of the confusion took place. Some of Carile's family took refuge in the church, and placed also there for security a quantity of his deistical publications; *The Age of Reason* was one of them. At five o'clock, the entire fronts of the houses of Mr Bond and Mr Hill fell suddenly with a tremendous crash; indeed, so sudden was the fall, that had the ruins fallen into the street, a number of persons would have been buried underneath. The flames were now partially damped, but still wore a fearful aspect, and the firemen were obliged to continue most unceasingly to exert themselves until nine o'clock, when the fire was subdued, but the houses still were in several places on fire, and the engines, during the whole of yesterday, were in active requisition. No lives were lost.

The above fire was said to have been occasioned by the incautious dropping of a spark from a candle in the closing of Mr Bond's shop, behind the counter, which, communicating with the gas, which it is thought was not properly turned off, produced a destruction of property to nearly the amount of L.100,000. The family of Mr Bond were out of town, and only two persons slept in the house, who escaped when the alarm was given.

16.—The Fleet Street conflagration had not ceased to agitate the public mind by its smouldering steam, when another fire, of very considerable magnitude, burst forth within two or three hundred yards of the former.

At about half past seven o'clock, last night, the fire we now speak of burst forth at the rear of Mr Wilkinson and Son's premises, No. 14, Ludgate Street, cabinet-makers and upholsterers. The extreme dryness of the timber accelerated the progress of the destructive element, and it mounted with astonishing rapidity to the upper floor, where a great quantity of manufactured goods were placed, before any intimation could be given of the occurrence. The roof soon after went in, and the flames shot up in one strong column, at least forty feet above the tops of the surrounding houses, and shed a brilliant illumination through the various streets and alleys, inso-much that the clock of St Paul's was quite as discernible as at noon-day.

The wind blowing pretty freshly from the S.W., a vast sheet of fire was carried to the roofs of the adjacent houses on the right. Nos. 15, 16, and 17, are a joint concern, (the Gloucester warehouse,) occupied by Mr Harvey, and No. 18, occupied by Mr Randall, print publisher, both of which were at one period considered in imminent danger. The proprietors of these, and all the adjoining tenements at the back, (many of which are inhabited by the poorer classes,) commenced the removal of their goods, under the impression that their own premises would speedily be devoted to the flames; and having to carry them through an immense throng of active and idle spectators, (thieves and lookers-on,) considerable loss was of course sustained.

The narrowness of the avenues leading to the theatre of conflagration served to increase the difficulties of its extinction, because the engines could not be brought into close play, and the discharge of water (having to pass through four lengths of hose) was materially weakened. However, several engines were planted in Lud-

gate Street, and the tubes being introduced through various houses, a copious discharge of water allayed the fury of the flames much sooner than was at first expected.

Various rumours were afloat as to the origin of the fire, but in a scene of absolute tumult, it was impossible to arrive at certainty. The most satisfactory points that remain for us to add are, that no lives are lost, and that the property, generally speaking, was insured.

The following are the names of the parties who are at present ascertained to be sufferers by the above calamitous event:—Messrs Wilkinson and Son, the upholsterers, have experienced damages to an enormous extent; Mr Harvey, the linen-draper, the back of whose premises are considerably damaged; Messrs Barlow and Blake, the wine-merchants, have sustained a great loss; Mr Blades, the glass-manufacturer, is also a great sufferer; James, the foreman to the Hand-in-Hand fire-office, had his house entirely destroyed, besides most of his household furniture; the houses of Mr Larkin, a glass-cutter; Smith, a rocking-horse-maker; Gregory, Jones, and Holland, in Evangelist Court, were extensively injured. All these houses were mostly let out in tenements to poor labouring artisans, who, from the fright occasioned by the alarm, in endeavouring to save their property, either lost it or it was destroyed. As yet, it is not precisely ascertained how the disaster originated. At one o'clock the walls of the burning pile fell down with a tremendous crash, and smothered the fire, but still an immense column continued to ascend. Although the flames were thus subdued, it was still found necessary to continue pouring in immense bodies of water. During the period of the fire, the bridges presented a peculiar appearance, being

thronged with persons, and the reflection of the element had a most beautiful effect upon the Thames and the craft. The light-fingered gentlemen were, as usual, on the alert, and made a successful harvest upon the property of the persons assembled, and that of the unfortunate sufferers.

#### DREADFUL FIRES IN EDINBURGH.

19.—Edinburgh has been visited by one of the most awful calamities recorded in its history. On Monday night a fire originated in a flat at the head of the Old Assembly Close, on the south side of the High Street, occupied as a copper-plate printing-house, by Kirkwood and Son, engravers. It communicated by the roof with other houses, and, from the height of the buildings, and the very great difficulty of access in rear, no effectual exertions could be made to check the progress of the flames. At eleven o'clock, the three adjoining tenements fronting the High Street were in a blaze. Seeing it impossible to save these houses, the firemen directed their efforts to the preservation of those on each side. By this means they were able to prevent the flames from injuring the house on the east side, but the building in the opposite direction was less fortunate, and, like its neighbours, soon became a mass of fire. About five in the morning, the pinnacle of the gable fell inwards, and soon after, another large fragment was hurled down. The fire was happily prevented, by a thick lofty gable, from extending farther to the westward.

Such was the scene from the High Street during Monday night. In the rear of these buildings, however, the devastating progress of the flames was not so easily interrupted. Crowded masses of old buildings, full of panelling, afforded abundant aliment to

the devouring element. The houses extending from the Old Assembly Close to the Old Fishmarket Close, were successively consumed. From the Old Assembly Close, it extended backward to the Old Assembly Hall, occupied by Messrs Bell and Bradfute, who were lately burned out in the Parliament Square, as a warehouse, and who have again been obliged to remove their property. In the line of houses dividing Borthwick's Close from the Old Fishmarket Close, and in the rear of the Courant office, the houses occupied by Mrs Maxton, tavern keeper, Mr Hunter, and other spirit-dealers, have been consumed. The adjoining house, occupied by Mr A. Thomson, bookbinder, (lately destroyed by fire and rebuilt,) was crushed by the falling of a gable. By mid-day on Tuesday, the conflagration seemed nearly subdued. The ruins continued to smoke and send forth flames occasionally, but no apprehensions were entertained of further danger. Happily the night was serene, otherwise the burning embers must have spread destruction over greater part of the Old Town.

#### BURNING OF THE TRON CHURCH STEEPLE.

Scarcely had the agitation excited by the conflagration described above begun to subside, when a new alarm was given; and about twelve o'clock on the forenoon of Tuesday, it was discovered that the steeple of the Tron Church, distant 200 yards from the buildings recently consumed, was in flames. Some flying brand lodged on the wooden balustrade, near its summit, and the wind, which had unfortunately risen to a hurricane, soon fanned it into a blaze. The engines instantly repaired to the spot, and by means of long ladders, the firemen reached the roof of the church.

All their efforts, however, to save the steeple, proved in vain. In a short time, the whole of the conical superstructure of wood was enveloped in flame. The casing of lead melted like wax, and poured down in streamlets—the minute-hand of the clock, on the south side, suddenly dropped down paralyzed—and the paint of the dial-plate scalded off in flakes. The strength of the structure long resisted the intensity of the heat, and the weathercock maintained its pre-eminence among the bickering flames. At length the fierce element prevailed—the weathercock was prostrated, and the fire rose in a mighty column to the sky. The wooden part of the steeple was totally consumed, but the body of the church, which was partly filled with movables from the High Street, was only partially injured. This was mainly owing to the seasonable arrival of a most powerful engine belonging to the Board of Ordnance, and directed by Deacon Field, slater, ably assisted by three serjeants of dragoons. It is stated that the fine bell of the church has disappeared. The heat was, we should imagine, scarcely sufficient to melt it, yet it has not been found among the ruins. Probably it was broken in falling, and the fragments may have subsequently been carried off by some of the numerous depredators on the outlook for whatever they could lay their hands on.

#### **FIRE IN THE PARLIAMENT SQUARE, AND DESTRUCTION OF THE JURY COURT ROOM.**

After the fire in the Tron Church had been subdued, it was generally supposed that the conflagration was at an end; but on Tuesday night, about ten o'clock, a new alarm was given of a fire having broken out in the Parliament Square, a place directly to the windward of the former scene of destruction. It originated in

the top story of that lofty pile of building on the south side of the square, which, in rear, was eleven stories in height. The apartment in which it began was occupied by a woman named Macdonald, of indifferent character, but not, as has been stated, the person of the same name who made herself notorious at the trial of the late Mrs Mackinnon. Whether wilful or accidental, has not yet been ascertained, but, of course, the affair will be most minutely investigated. We refrain, for obvious reasons, from noticing the many reports in circulation. The extraordinary height of the buildings prevented the engines, all of them more or less disabled by former service, bearing with any effect on the flames; and, as the wind blew strong from the west, they spread with amazing rapidity. Floor after floor became ignited, and soon after midnight the whole vast mass of building was enveloped in living fire. The appearance from the Cowgate at four o'clock in the morning was truly awful. Every part of the city was illuminated, and the whole adjacent country must have been alarmed by the portentous glare of the flames. An hour afterwards, the fire reached the last side of the square, and in two hours more, all that escaped the conflagration in the month of June last, were included in the general destruction. Among the premises destroyed, were the new Jury Court Room, the office of the Water Company, that of the auditor of the Court of Session, the shops of Mr Laurie, and Messrs Bell and Bradfute, booksellers, Messrs Jardine and Wilson's chambers, Mr R. Scott, engraver, Mr Williamson, writer, &c. By some judicious precautions, the Exchequer, the Parliament House, the Libraries of the Advocates and Writers to the Signet, and the Banking-house of Sir William Forbes and Company, were rescued

from the jeopardy in which they for some time remained. At eight o'clock the fury of the flames had abated, and at that period the interior walls of the south-east angle fell upon the front wall, and were precipitated into the square with a terrific crash. Several persons were hurt, and a cloud of dust was thrown up that darkened the firmament. The only parts of the old buildings in the square now remaining, are the houses adjoining the new Exchequer Buildings, in which the office of Messrs Brougham and Anderson, and the house of Mr Allan, the painter, are situated. During the whole night, that part of the Old Town, to the eastward of the scene of conflagration, was exposed to a shower of sparks and flaming brands. These again set fire to the buildings in rear of the High Street, where the flames broke out with such violence, that much anxiety was entertained for the Commercial Bank. Here the most melancholy accidents happened, in one of which Mr Braidwood, director of engines, nearly lost his life; and here we rejoice to be able to add, these calamities terminated. Frequent alarms of fire in other places were given in the course of Wednesday, originating principally in chimneys ignited by burning embers. One broke out in Carrubber's Close, among some chips under the roof, and assumed a threatening appearance, but was eventually got under. About three in the afternoon, a heavy shower of rain helped to extinguish the embers lodged on the tops of the houses; prior to which, a proclamation by the magistrates had recommended a general inspection of the house tops, and the stationing of watches thereon.

Burning fragments of a large size fell on the Calton Hill, at Norton

Place, and on the Easter Road to Leith, as far as the toll.

During the whole of this eventful night, the Old Town resembled a city besieged and exposed to a severe bombardment. The general panic had spread far beyond the probable boundaries of the flames, and the destruction of the greater part of the city was tremblingly predicted. Rumours that incendiaries were abroad, were prevalent, and generally credited. Military were seen in all directions—the streets were deluged with water, and many a wretched female and child, rendered houseless, passed that tempestuous night among the piles of furniture heaped up in every corner. On no similar occasion have so many wretched families suffered. From three to four hundred are burned out, a great proportion of whom are left destitute. There is not a close nor a lane near the scene of misfortune, but is crowded with the wreck of furniture. The Lord Provost, with that humanity which has always characterized him, made an immediate application to the officers of government for the use of Queensberry House, as a temporary shelter for the desolate groups crowding the streets, which was instantly granted. The managers of the Infirmary also showed the greatest liberality and anxiety to alleviate the general distress, not only to bodily sufferers, but by ordering food to be given to their relations in attendance. The Commissioners of Police notified that persons in a state of destitution would be provided with money for present exigencies, by applying at their office.

Many accidents, of course, occurred; but, amid conflicting reports, it is not easy to particularize all with certainty. Several persons have been killed, chiefly by the falling of the



ruins, and many severely injured. On the afternoon of Wednesday, two men were killed by the falling of a high stack of chimneys in Conn's Close, one of whom was a fireman belonging to the Naval Yard, Leith, the other not claimed. A sweep, dangerously burned and bruised, has since died in the Infirmary; an artilleryman, hurt by the falling of a wall in the Parliament Square, is not expected to recover. A tailor is in a similar condition, and two boys and a woman, much bruised, are in the Royal Infirmary. The body of a boy, without the head and arms, was yesterday dug out of a cellar. It has been ascertained that this unfortunate youth was employed on Tuesday morning in removing the goods in the cellar to a place of safety, when the wall fell in and killed him. We subjoin a list of the patients at present in the Royal Infirmary:—

David Robertson, aged 17, severely burnt.

John Riddell, aged 23, severe contusions and fractures.

John Crawford, severely burnt, since dead.

James Forest, 27, severe contusions.

Alexander M'Gill, 9, injury of the head.

David Fortune, 7, ditto.

Isabel M'Intosh, 60, severe fractures.

Elizabeth Thomson, 50, contusions.

Betsey Smith, 22, ditto.

Joseph Lawrie, artillery, severe contusion.

Many of these cases are extremely dangerous, though, so far as we can learn, none of them are considered altogether hopeless.

In order to obviate, as far as possible, danger from the falling walls to the houses near them, strong bodies of masons, slaters, and carpenters,

the latter from Leith, were occupied during Wednesday in throwing down the chimney-tops, and such parts of the ruins as were most threatening. An attempt was made with ropes to pull down the lofty gables in the High Street, but afterwards relinquished. Colonel Thackery, of the Royal Engineers, was particularly active on this occasion, as was Captain Boswell, R.N. and the officers of Sir T. Bradford's staff.

The greatest zeal and intrepidity was displayed by high and low on this awful occasion. The Lord Provost and Magistrates, the High Constables, the Superintendent, Lieutenants, Surgeon, and other officers of police, made the most energetic exertions to alleviate the general distress. The Lord Justice Clerk was in the Parliament Square at an early hour on Wednesday morning, animating and setting an example to all around him, at a time when extraordinary exertion was particularly necessary. We also noticed the Lord President, the Lord Advocate, the Solicitor-General, the Dean of Faculty, Sir John Hay, Sir William Forbes, Sir John Hope, Sir Thomas Bradford, Lord Robert Ker, Sir Patrick Walker, &c. particularly active, and manifesting the utmost anxiety to render assistance. The most distinguished characters in the city, were seen voluntarily sharing in the severest manual labour, and exposing themselves, with the greatest intrepidity, to much personal risk. In some instances, persons of the lower class refused to work at the engines, or supply water with buckets, unless a bargain was struck with them, but this mercenary spirit was not general. One woman, named Janet Blackwood, wrought for many hours with a spirit and perseverance truly masculine.

A great part of the 72d regiment from the Castle, were, as was former-

ly mentioned, on the spot where the first fire broke out, almost as soon as the engines, and during the whole period, the men were conspicuously active in keeping order in the streets, working the engines, and removing property. On Tuesday, a detachment of the 1st dragoons from Piershill barracks, and a party of artillerymen from Leith Fort, arrived to relieve the infantry; and on Wednesday, a troop of the Mid-Lothian yeomanry, commanded by Sir J. Hope, Captain Cockburn, and Quarter-Master Aitchison, were called out, and shared in the fatiguing duty of maintaining order, and preventing curious persons from foolishly endangering their lives, by going too near the tottering ruins. In several instances, persons in high authority were interrupted by the military, but this was the inevitable consequence of a strict adherence to orders, without which all regularity would have been at an end.

Upwards of twenty engines were in attendance. The Duke of Buccleuch's was dispatched from Dalkeith, and several, also, arrived from the Naval Yard and Leith. The most powerful belonged to the Board of Ordnance from Leith Fort, made by Mark, Noble, and Co., and throws 1½ tons per minute. It is said to have driven down the front of the houses in Parliament Square. Canals were cut across the street to lead the water into the square and closes.

As far as we can ascertain, the following houses have been destroyed:—Four double lands in Parliament Square; four lands, Old Fishmarket Close; four lands, Old Assembly Close; two wooden lands, Conn's Close; six small tenements in Borthwick's Close; four lands of six stories fronting the High Street; besides many houses in different quarters partially injured, chiefly by the fall of ruins. Covenant Close did not

suffer. It is impossible to estimate at present the value of property destroyed.

We understand that the charter, sederunt book, and the other valuable documents and records belonging to the incorporated Society of Solicitors in the Supreme Courts, have been preserved. Their Hall, Library, &c. were insured in the Phoenix Fire Office.

There is no calculating the amount of the property destroyed, or even the number of the houses, as all approach to them has been prohibited. By the fire of Monday night, the Old Assembly Close, which contained many valuable houses, and was so thickly peopled, that some flats contained no fewer than eight families, has been almost entirely consumed. The west side of the Covenant Close, including the house in which the celebrated League and Covenant was subscribed, has been destroyed, and the opposite side has suffered severe damage. Borthwick's Close is one mass of ruins. Conn's Close, which was inhabited chiefly by poor people, no longer exists; and the east side of the Old Fishmarket Close, down to the house occupied by Messrs Thomson and Co., bookbinders, has also been destroyed. In addition to all this, is the total destruction of four stately tenements in the High Street.

During the whole of Thursday, the attention of the authorities was directed to the state of the walls in the Parliament Square, which being of an immense height, threatened to destroy the property behind them. At one time it had been resolved to batter down these walls with artillery; but the scheme having been pronounced dangerous, was abandoned. On Friday morning, the ruins were inspected by Admiral Sir David Milne, Captain Head of the Royal Engineers, and several other scienti-

fic gentlemen. A meeting was afterwards held by the magistrates, and others interested, at which it was resolved, after hearing Captain Head's report, to intrust the entire management of the work of demolition to that gentleman. Captain Hope of his Majesty's sloop *Brisk*, which arrived in Leith Roads on Tuesday, handsomely offered his own services and those of forty of his men, whom, with their officers, he had brought along with him. The offer was gratefully accepted; and a warrant by the Dean of Guild, authorizing them to proceed, having been issued, operations immediately commenced. A line was thrown over the high southern gable above Heron's Court, by which a stronger rope and an iron cable were successively carried up. These being secured, the men commenced pulling, but only a small part of the westside came down. The labour was abandoned for the day, and the tars were accommodated for the night in the Castle barracks. We observed two young naval officers particularly active and daring. They stood perched on the top of the wall of the house which stood in the south-east angle of the Square; and from that precarious height, issued their orders with the most astonishing coolness.

On Saturday morning, at seven o'clock, Captain Hope and his party returned to the attack. A ladder was projected from a chimney-top on the south side of the Square, to the top of the wall above-mentioned, (a height of twelve stories,) and along this ladder, which moved like a spring-board, two sailors walked, and returned in safety. Seamen were employed in securing and bracing their iron cables, chains, and ropes, and sappers in mining the east wall, which hung over the Police Office, and threatened destruction to it. These operations having been completed,

the mines were sprung, when the immense fabric fell perpendicularly to the ground, as had been foreseen, by Captain Head. The spectacle was grand and astonishing. An immense part of the wall sunk down immediately after the explosion, and the remainder in two successive fragments, by which the interest of the spectators was heightened and prolonged. All at once the Square was enveloped in a dark cloud of dust; and shouts of triumphant joy arose from the multitude. The seamen, in the meantime, proceeded with their operations. About mid-day the greater part of the south gable was pulled down piece-meal; but a detached corner remained, and presented the singular appearance of a pyramid eight or nine feet in width, by three in thickness, and of the vast height of about 130 feet. It inclined considerably towards the Cowgate, and to clear it away expeditiously was instantly resolved upon. The chain cable was again thrown round it near the centre, and so scientific were the whole arrangements, that the upper part fell directly to the ground. Lord Robert Ker and Major Lindsay attended the whole operations; and after the Courts rose, the Lords President and Justice Clerk, and a number of other distinguished public characters, swelled the crowd of anxious spectators.

After the last fall of these stupendous ruins, the smouldering flames were again awakened into life by the tremendous collision, and a great deal of smoke issued from the rubbish. An engine was procured, which put an end to all farther danger.

It seems that the bell of the Tron Church melted away in small fragments. It was of the enormous weight of about two tons, and was hung in the year 1673; its cost, in Scots money, being equal to L.82,

10s. 2d. sterling. The church itself, and the steeple, were finished in 1673, twenty-six years after the former had been opened for divine service.

The fires which it has been our most painful duty to describe, are the most calamitous, we may venture to say, of any of an accidental nature, recorded in history. The misery which they have caused is incalculable; and the value of the property destroyed is not to be estimated. The damages sustained by the poorer class of sufferers will, we have no doubt, be repaired by the benevolence and charity of the public at large. The subscription for their relief amounted yesterday to upwards of four thousand pounds; and this fund is rapidly increasing. The most magnificent contribution made to it, has been by Sir William Forbes, it being no less than £500.

#### MR FAUNTLEROY'S INTERVIEW WITH HIS WIFE, &c.

Mrs Fauntleroy having learned that her husband was determined to shut himself up from all further communication with his relations and friends after Saturday, sent to him a message by her son, telling him that she would be with him, if God would give her strength, next morning. He prepared for the meeting, which he had hoped he could have avoided, and at eleven o'clock on Saturday morning she arrived at Newgate, in a hackney-coach, accompanied by her son. Upon going inside the first door of the prison, there was necessarily some delay, the turnkey being obliged to communicate to Mr Wontner the application of any person to visit a prisoner. Mrs Fauntleroy concluded that she was to be refused, and wildly said, "Oh, for God's sake, will you keep me from him?" One of the

principal officers of the prison went to her, told her that she certainly should be admitted, and begged her to be calm. She promised to be quite calm; but it was apprehended, from the woful condition in which her health and feelings appeared to be, that the unfortunate convict would have to undergo a scene of affliction exceeding any which he had yet endured. The officer went up to inform Mr Fauntleroy that she was in the prison. "Yes," said he, "I expected her; God help her! bring her to me." The officer then conducted, or rather carried, Mrs Fauntleroy into the apartment of her husband. She dropped into his arms, and was unable to utter a word for some time. The two turnkeys who attend the prisoner retired to the farthest corner of the room. The scene was one which, even amongst those whose ordinary avocations was that of witnessing the eternal parting of wives from husbands, and fathers from children, were deeply affected at. The officer who led her to the presence of her husband went over to her and again entreated that she would be calm, and say nothing calculated to draw away her husband's mind from his religious contemplations.—She seemed to derive strength from this hint of the necessity of checking her feelings, and she talked to him for a considerable time without interruption from sobs and tears. Their principal conversation had reference to their son, who, the unfortunate father hoped and believed, would be brought up with the fear of God constantly before his eyes, and the terror of his parent's fate ever present to his imagination. The son occasionally spoke a few words of consolation to both, assuring them of the love he had for them, and his determination to live free from reproach. At the expiration of a full hour spent in this man-

ner, the officer entered, and taking Mrs Fauntleroy by the hand, quietly led her away from her husband, without waiting for the ceremony of farewell, and before she thought she was from his side, the door was closed for ever between them. For this sudden separation, which the officer had contrived to accomplish with such humane ingenuity, Mrs F. was not prepared. She screamed, and supplicated to be re-admitted; but when the officer told her that her poor husband would not be able to bear it, she acquiesced, and after having been relieved by a profuse flood of tears, returned with her son, and the Rev. Mr Springett, who was waiting outside the room, and who, we understand, suggested the mode of separating them. Soon after the departure of Mrs F. and her son, Mr Fauntleroy's brother and sister came to pay their last visit. This scene was also exceedingly heart-rending; but the presence of the Rev. Mr Cotton, who entered and spoke in a cheerful tone to them, in a great measure dissipated the horrors of the interview. Mr Fauntleroy requested that the Ordinary would administer the Sacrament to them all. This was done in the most solemn and impressive manner. After which the Ordinary left the room. This interview occupied nearly two hours, and after it closed, Mr F. expressed that he was content; that God had enabled him to go through the worst part of his earthly sufferings, and that the moment of execution would be as nothing to him.

**"TO HIS MOST EXCELLENT MAJESTY KING GEORGE IV.**

**"The very humble petition of Susan Mary-Ann Fauntleroy:—Forgive, O most gracious Sir, a wretch-**

**ed and distracted woman, for presuming to approach your royal person to supplicate for mercy to be extended to the unfortunate Henry Fauntleroy. Let not, I beseech you, the dreadful punishment of an ignominious death be inflicted on the husband of your supplicant—the father of her child. But spare, O mercifully spare, the father's life, that disgrace may not be entailed on his innocent offspring, and overwhelming misery inflicted on your petitioner!**

**"Your petitioner most respectfully assures your Majesty that the royal clemency cannot be afforded to a more deserving object than her unhappy husband; he possesses a most sympathetic and feeling heart, and an honourable and generous mind. Do not, therefore, most excellent Sovereign, allow the full rigour of the law to be put in force, but temper justice with the divine attribute mercy, and leave to the all-great and bountiful Creator to take away that life which he alone can give.**

**"And your humble petitioner, with her dear and innocent child, will continually offer up their grateful prayers for every blessing and happiness to attend your Majesty for ever and ever."**

#### EXECUTION OF MR FAUNTLEROY.

30.—This morning, almost before day-light, the great leading thoroughfares of Holborn, the Strand, Fleet Street, St Paul's Churchyard, and Smithfield, were thronged by persons of every class of society, hurrying forward in one general body, to catch a glimpse of the final conclusion of the existence of this unfortunate criminal. Many hundreds of the mass that assembled could not even obtain a sight of the scaffold, and those who did succeed in getting near the platform, evidently suffered much from the tre-

menhous pressure occasioned by the crowd.

At four o'clock, immense barriers of wood were erected across the streets leading into the Old Bailey, in addition to the usual chains; this precaution was suggested by the city marshals, to whom the arrangements at the exterior of the prison were intrusted. They, it will be remembered, on the morning of the execution of Thistlewood and others, on the 1st of May, 1820, adopted similar precautionary measures, and, indeed, the preparations were nearly the same, with the exception of the immense military force which it was thought necessary to have in the vicinity of Newgate on that occasion. The marshals also, foreseeing the consequences of a violent pressure, stationed bodies of police, at various points, to regulate, if possible, the crowd which continued arriving from an exceeding early hour. Some persons took up their stations at the barrier within which the marshals and officers stand, and in the centre of what is termed the "Debtor's-Door" of the jail is erected the scaffold. In order to prevent any intruders into this circle, which on this occasion extended nearly 60 yards from the scaffold in each direction, constables were stationed the whole of the night; but by a gratuity well applied, many who did not like the pressure got within the barrier.—The windows commanding views of the scaffold, according to the contract of those who had paid sums, varying from 3*l.* to 7*s.* 6*d.* were occupied by six o'clock, and those who had engaged and paid the money, and who were not able to get through the crowd, lost their view, which, it is needless to say, was eagerly occupied by another; all those windows, extending from the St Sepulchre's Church end of the Old Bailey, as far as

the Sessions-house Court-yard, were crowded by seven o'clock. At this moment the scene was indeed one which could call forth animadversion, as in the midst of the crowd, opposite the jail, no less than three pugilistic encounters took place—whether set on foot by ruffians for the purpose of plunder, or caused by the angry feeling for situations in individuals, it is difficult to say—but certainly the dreadful uproar they occasioned displayed that the awful example to public justice, in the person of a man who had once shone in a sphere of great respectability, and of practised commercial talents and knowledge, had but little if any effect on the minds of the crowd. We have stated that the windows in the Old Bailey were thronged, and we will now proceed to describe the exterior of the prison.

The walls were literally covered, and wherever a hold or footing could be obtained, persons of respectable appearance were seen clinging. From the slender state of the holding, many of them fell, and experienced severe contusions; however, the places were quickly occupied by others, and a disgraceful scene of contention was going forward, which, from the density of the crowd, could not be checked. As far as the eye could reach, looking from the scaffold towards Ludgate Hill, nothing was visible but one immense forest of heads; and such was the greatness of the assembled thousands, that they frequently appeared to wave in every direction. Such was the uproar at seven o'clock, that it was thought some dreadful accident would have occurred; however, the mob became more composed as the hour of eight approached.

The scaffold was erected in the course of the night; and, at five

o'clock in the morning, the executioner ascended the platform and fastened the chain-link and rope to the cross-beam, and then retired. The remainder of the morning was occupied as we have stated; and in addition to which we can add, that some desperate robberies were committed; but whether the offenders were secured or not did not come to our knowledge.

At seven o'clock last evening, Mr Fauntleroy was waited upon by the Rev. Mr Springett, who was received by him with evident marks of composure. After some conversation on trifling matters, the subject was changed to religion, and the question of the transition from life to eternity was discussed. The reverend clergyman pointed out the sacred maxims of religion from the Revelations, and the unfortunate gentleman answered in a manner that displayed his perfect conviction and hope in the sacred truths of Christianity, and reliance, that the awful transition which he was about to make would be one which, as he said, "displayed the mercy of God, even in the last hour, to the guilty penitent." He was assisted, until eleven o'clock at night, in his devotions by the Rev. Ordinary, Mr Baker, Mr Springett, and another individual. At that hour he took some refreshment, and paced his apartment for a short time; he then sat down, and for a considerable time occupied himself in prayer, reading occasionally from the Bible and a Prayer-book.

He was then asked if he would take any rest? He asked permission to retire for an hour; and, having composed himself on a bed, fell into a doze, which did not last long. He awoke in some alarm, and again fell asleep; and by five o'clock was up at prayer, having had but very trifling and most uneasy sleep.

He was joined by the reverend gentlemen whom we have before named, and quitted his apartment with them for the ward-room, over the Press-yard, where tea was provided. He drank a cup of tea, and again entered into prayer, not in the least abstracted; but as the chimes struck the hours, a languor evidently gained over his spirits, and his manner became depressed. He did not, however, lose that steady serenity and calmness of demeanour which he preserved to the last moment.

In speaking of himself and his hopes of eternity, he expressed his full confidence in the mercy of God, and observed upon the unfortunate state of mind in which he had laboured for so long a period, 'compared to his present happiness. In answer to a question put to him, he spoke of his doom as very just, observing, he now plainly perceived that he fully merited his fate. In this manner, and in similar declarations, did he employ himself with his reverend attendants for three hours, and at seven o'clock appeared to be sinking into a deep state of inanimation. He received the last offices of religion composedly and quietly, but still his manner bespoke the deepest depression.

The applicants for admission were as numerous as they appeared to be highly respectable. But the Sheriffs, Messrs Aldermen Brown and Key, had given conclusive directions not to permit any persons whatsoever, but a reporter from each morning and evening newspaper, to have access to the interior of the prison; and, in order to act strictly up to the letter of their decision, they determined upon not allowing any of their own private friends to accompany them. This resolution was strictly adhered to.

At half past six o'clock the reporters were admitted into the vestibule

of the prison; they were in number about twenty for the different newspapers. Mr Wontner, the worthy and highly respectable governor of the prison, addressed them, and stated his orders to be, that only one for each paper could be admitted; but if there were more than one from any newspaper, as a matter of convenience, he would allow the gentlemen to pass through his house to a convenient place outside within the railing, where he could note down any circumstance that occurred. The gentlemen thanked him, and four of them availed themselves of this kind offer.

After remaining in the lobby until ten minutes to eight o'clock, Mr Alderman Brown, attended by his officers bearing wands, came through the passages; and being informed, that the group of persons assembled attended for the press, directed them to be allowed to pass on to the cells. Mr Alderman Key, and his undersheriff, followed almost immediately; and instead, as was the usual practice, of going into the Press-room, the Sheriffs proceeded past the condemned cells up a flight of stairs into the ward-room, where the unfortunate gentleman was sitting near the fire, engaged in deep meditation. On the room door being opened by the turnkey, he raised his eyes and stood up, leaning on Mr Baker and Mr Springett, who administered to him spiritual consolation, while the Rev. Ordinary, in a very feeling and affecting manner, read the prayers for the dead.

The Sheriffs, Mr Wontner, &c. having entered, Mr Fauntleroy advanced a few paces, bowed to them, and returned to his attendants. Here a very great change in his manner was apparent; he shook off the stupor which had come over him, and stood calmly erect and composed, but im-

mediately closed his eyes, and relapsed into his former state. He was neatly dressed in black, with shoes and silk stockings, and had a very gentlemanly appearance. Some few minutes being occupied in prayer, he was led to the fire-place, and the officers of the Sheriff pinioned his arms and hands.

This ceremony being completed, Mr Baker and Mr Springett each took his arm, and the Sheriffs quitted the room, followed by the Rev. Mr Cotton, and next by Mr Fauntleroy, who still kept his eyes closed, and was led forward scarcely conscious of the passing scene. On walking through the passages, the heavy and deep sound of the funeral bell suddenly struck on his ear, and appeared to arouse him. He exclaimed, "Oh, my God, have mercy! Heaven have mercy on me!" and then seemed to make an endeavour to pray, but his lips failed to produce utterance; his step was, however, still firm, and his manner composed. He did not appear in the least ruffled.

The Rev. Ordinary read aloud the sublime prayer of the apostle Paul, beginning, "I am the resurrection and the life," and continued reading the burial service until he assisted Mr Fauntleroy on to the scaffold.

At eight o'clock the executioner and his assistant ascended the scaffold. Immediately a confusion and cry of "Hats off!" arose from the multitude, and this wish appeared to be very generally complied with. Shortly after the St Sepulchre's church funeral bell tolled, as did also that in the chapel of Newgate; and for a few minutes, as it were, the bells mournfully responded to each other.

At five minutes past eight o'clock the Rev. Mr Springett ascended the fatal scaffold. The Sheriffs' officers, with white wands, next appeared on



the steps, and retired on one side to make way for the Rev. Mr Cotton, the Ordinary, who led up, assisted by Mr Baker, the unfortunate culprit, who stepped on the platform scarcely animated. Indeed, his manner evinced much of the mechanical march, evidently scarcely conscious of the passing scene; his eyes were closed, and his countenance was deadly pale. On being placed on the scaffold, he opened his eyes for a moment, and seized Mr Baker's hand with a convulsive grasp; but evidently somewhat revived by the freshness of the air, after a moment's hesitation, he advanced firmly and quickly to the middle of the platform, and, from the movement of his lips, seemed to be engaged in earnest prayer, raising his pinioned arms and hands once or twice as if in supplication. The executioner proceeded to cover his head with the cap, and tied his white neck-handkerchief over his eyes, and then adjusted the rope. The Rev. Mr Cotton during this time was occupied in reading the conclusion of the burial-service.

The unfortunate sufferer stood firmly, and seemed to be praying with great fervour. The executioner soon concluded his preparations, and descended from the platform. The Rev. Mr Baker and Mr Cotton retired from the criminal a few paces, and, after an agonizing moment occupied in prayer, a signal appeared to be given, the drop fell, and the world closed on him for ever. He struggled in great agony for a few seconds, and for some minutes was convulsed.

The Sheriffs did not enter the lobby leading to the scaffold; but, having seen the unfortunate culprit placed on the platform, immediately retired into Mr Wontner's house, evidently much affected. Mr Springett left the scaffold almost immediately on Mr Fauntleroy's ascending. On the drop

falling, the Rev. Mr Cotton and Mr Baker returned into the jail.

After the body had hung for an hour, it was cut down, and carried into a room adjoining the lobby.

The immense multitude, during the awful ceremony, conducted themselves orderly, and dispersed quietly. We did not hear of any accident having occurred, but the offences were numerous; and several persons were stripped of their watches, money; &c. by the pickpockets, who were extremely active.

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## DECEMBER.

LONDON.—Letters from St Petersburg, of the 19th and 20th of November, present us with a dreadful account of the calamities produced by an inundation of the Neva, not equalled within the memory of man. In some parts of the town, the waters rose to such a height, and with so great rapidity, that the inhabitants had not time to save themselves, but men, women, and children, indiscriminately perished. A storm accompanied this visitation of the waters, so violent, as to roll up the sheet-iron, which covered the roofs of many houses, as if it had been paper; it broke in doors and windows everywhere; and, combining its force with that of the current, swept away bodily some of the slighter habitations.

The magazines of wine, sugar, and other merchandize, being principally in cellars under ground, and in the lower parts of the city, it is supposed that damage to the amount of millions has been sustained by the merchants on this melancholy occasion. The stores of raw sugar near the custom-house, and the herring magazine, containing upwards of fifty thousand barrels of that article of food, were

irretrievably ruined; guard-houses and bridges destroyed; the streets of Petersburg were covered the following day with bodies of animals which had been drowned—with fire-wood, the stores of which had been broken up, and drifted away in all directions—with ships, which had burst from their moorings—with the contents of ravaged shops, the materials of which wind and water had overturned. Whole villages in the neighbourhood of the Russian capital were, it is said, swept away. No food could be had in any quarter for days after the deluge had subsided—no payments were made—no money demanded; the ordinary transactions and affairs of men being altogether displaced and forgotten amidst this scene of overwhelming misery.

The imperial palace of Cathrinenhof, with all its late improvements—Emiljanowka, Kurujuos island, and all the country houses on the great road to Riga, to the distance of eight miles, suffered incredible damage. The imperial iron manufactory at Cathrinenhof was under water, and 200 workmen perished. Of 18 barracks, 15 were washed away. The number of persons who have perished is believed to amount to some thousands. The destruction of animals by the same event is beyond all conception. The flood was so great that the lower stories of all the houses of Petersburg may be said to have been filled. In some cases it rose to the second stories; and entirely overflowed many low habitations and booths, of which, in many instances, not a trace is to be seen; so that several villages in the immediate vicinity are no more to be found. It was stated, that the corpses of 800 persons had already been found. It is supposed, that about 300,000 poods (10,800,000 lbs.) of sugar are damaged, and the half of it entirely melted and washed away.

Next to sugar, the loss of twist, in particular, is very great; and, among the articles of Russian produce, hemp, potashes, and hemp-oil, have suffered very much. In consequence of these events, a great rise has taken place in the price of many goods, especially sugars. Cronstadt was completely under water; and much damage was done to merchant vessels, and to their cargoes. The injury to the imperial fleet is described to be immense.

No similar visitation had been experienced for the last half century. The last great inundation was in September 1777; but this was still greater, the water having risen four feet higher than it did then. The emperor has directed the most efficacious means to be taken to lessen the evil, and has assigned a million of rubles to relieve the more urgent wants of the poorest sufferers. He is said to have been an eye-witness of the scene, and exerted himself, with the nobility, to rescue the people in boats. The exchange has been fitted up to receive 4000 persons. Fears are expressed of a general famine, from the destruction of such quantities of provisions, especially of all the bread, and the ruin of the ovens.

At Gottenburgh, many of the inhabitants had not time to escape from their houses, and were compelled to seek for safety on their roofs—a precarious, and in some cases an insufficient resource, as many houses were wholly carried away by the waters; while the terrified sufferers beheld the astonishing spectacle of large ships thrown on the shore to the distance of four thousand feet from their anchorage.

At Stockholm, the hurricane tore the ships in the harbour from their moorings, and dashed them against each other; houses were entirely unroofed; and travellers, who left the city next day, were obliged to be pre-

ceded by labourers with axes, to clear a way through the trees that had been blown down, and blocked up the roads.

**EDINBURGH MUSICAL FESTIVAL.**—At a meeting of the directors of the late Festival, held on the 3d instant,

the treasurer presented a detailed report of his intromissions, and a full account of charge and discharge in all their branches, docketed by the convener of the committee of finance, after comparing the items with the vouchers,—

The amount of the receipts is . . . . .	L. 4940 4 10
And the total outlay . . . . .	4397 18 11

Leaving for distribution among the public charities,	L. 542 5 11
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But as there may still remain some trifling claims against the Festival, the treasurer suggested, that a small sum should be retained to satisfy these; and that the sum of L. 530 only ought to be placed at the disposal of the public functionaries, in whom it is proposed to vest the se-

lection of the charities among which this sum is to be divided.

The treasurer also furnished to the meeting a comparative view of the receipts and expenditure at this and the two former Festivals, allowing as follows, viz.—

	1815.	1819.	1824.
Receipts, . . . . .	L. 5492 7 6	L. 5256 17 1	L. 4940 4 10
Expenses, . . . . .	3910 14 2	4004 7 0	4397 18 11
Free proceeds, . . . . .	L. 1581 13 4	L. 1252 10 1	L. 542 11
The number of tickets sold was, . . . . .	9011	8720	7916

Thus showing a progressive decrease in the receipts, and a progressive increase in the expenses,—the latter arising almost solely from the very high demands, and the additional number, of the principal singers.

It may be observed, that while the Parliament-house was seated for 1700, and the theatre for 1300 persons, the tickets received at the doors were only as follow:—

Monday evening, . . . . .	912
Tuesday morning,—The Creation, &c. . . . .	1480
Wednesday evening, . . . . .	1285
Thursday morning,—The Messiah, . . . . .	1459
Friday evening, . . . . .	1283
Saturday morning,—Mount of Olives, &c. . . . .	1365
	<hr/>
	7784
Leaving, not made use of, or undelivered, . . . . .	132
	<hr/>
Total of tickets, . . . . .	7916
And the number of tickets sold for the Assembly was . . . . .	844

The directors having taken into their consideration the report and account of the treasurer, expressed their entire satisfaction with the clear and accurate manner in which they are stated and vouched, and unanimously voted to him, and also to the secretary, their best thanks, for the very great attention and time gratuitously bestowed by them, in conducting the numerous and laborious details within their respective departments.

The directors expressed their sincere regret, that, after all the toil and difficulty of bringing together such great musical talents, and so numerous and complete an orchestra, the surplus profit for the charities should only have amounted to about one-third of what it was in 1815, and that it should have been less than one-half of what it was in 1819, owing to the vast expense of the musical engagements, and the decreased support given by the public, which, it is to be feared, renders a similar undertaking in future a matter of some doubt.

The directors approved of the treasurer's retaining in his hands the small sum proposed, in case of any contingent claims being made upon him; and they authorized him to pay over to the Right Hon. the Lord Provost, the Lord President, the Lord Justice Clerk, the Lord Chief Baron, and the Lord Chief Commissioner, the sum of L.530, to be divided, as they may think proper, among the public charities of this city.

9th.—Thursday week, an Egyptian mummy was unwrapped at the Bristol institution. The upper part of the shell being removed, there arose a peculiar but not unpleasant odour. The body was remarkably light, and wrapped up in a multitude of folds of cotton cloth, which was stained yellowish brown. Upon the removal

of the circular bandages, there appeared a long wrapper, from the chin to the toes, with a double border of blue stripes in front. The innermost layer of cloth was soaked in naphtha, asphaltum, or some bituminous substance, combined probably with natron. The skin was blackened, and the neck and one of the hands had been attacked by a coleopterous insect, apparently a dermestis. In other respects this curious specimen of antiquity was very perfect. It was the body of a (probably young) female. The hands were placed straight upon the thighs. The hair upon the head was perfect, of a brownish auburn colour, short, but not at all wearing the character of a negro's. The coverings of the chest and stomach being removed, exhibited, in high preservation, the heart and lungs, and all the intestines: indeed, it did not appear that any part had been removed. Whether the brain had been extracted was not ascertained; neither were the teeth examined.

#### THE SUFFERERS FROM THE LATE FIRES IN EDINBURGH.

On Friday, at two o'clock, a most respectable and numerous meeting of the subscribers in aid of the sufferers by the late fire, was held in the High Church. Among the gentlemen present were the Magistrates of the city, the Dean of Guild, William Blackwood, Esq. Baron Bailie of Canongate, Gilbert Innes, Esq. Henry M'Kenzie, Esq. James Gibson Craig, Esq. William Trotter, Esq. Michael Linning, Esq. William Inglis, Esq. Robert Johnston, Esq. Mr Hepburn of Clerkington, Mr Munro, Principal Baird, the Rev. Dr Inglis, the Rev. Dr Grant, the Rev. Dr Thomson, the Rev. Edward Craig, &c.

Mr Waugh (Dean of Guild) rose and said, that he regretted extremely

the absence of the Lord Provost, who, he was sorry to say, was prevented by indisposition from attending the meeting. He begged leave to propose, that the oldest Bailie, William Patison, Esq. should be called to the chair.—(*Applause.*)

Mr Patison having taken the chair, stated the object of the meeting, which was the appointment of a committee to superintend the distribution of the subscription, raised in aid of the sufferers by the fire. A list of a committee was read by Mr Cunningham ; it comprehended the Magistrates of the city and suburbs, the Lords of Session, and the heads of all the principal bodies in the city and its vicinity.

A gentleman said, that it would be satisfactory to learn the real state of the funds.

Mr Bonar (banker) stated, that L.5000 had been paid in to him, and that L.1200 was yet to pay. L.1500 had been raised from the collections at the churches on Sunday last.

Dr Thomson proposed, that the visitors of the Destitute Sick Society should be added to the committee, as their services, from local knowledge, would be highly valuable.—Agreed to.

Mr Blackwood thought, that from the expense attending the publication of the subscription list in the newspapers, that no publication of it should take place until it was completed.

Mr Waugh moved that the committee should meet without delay, as numerous applications had been made for relief. He thought that the committee should not give money to the sufferers, but that the relief given should be in furniture, clothes, &c.

It was agreed that the first meeting of the committee should take place on Monday, at two o'clock.

On the motion of Mr Trotter, the managers of the Begging Society were added to the committee.

Mr W. Inglis moved the thanks of the meeting to the Lord Provost, and Magistrates, for their unwearied exertions on the late melancholy occasion. (*Applause.*) The motion was seconded by H. Mackenzie, Esq. and unanimously agreed to.

The Rev. Edward Craig moved the thanks of the meeting to the naval and military services employed on the occasion, which was agreed to.

The thanks of the meeting were unanimously given to Bailie Patison, for his conduct in the chair, after which the meeting broke up.

#### ROBBERY OF THE STIRLING MAIL COACH.

18th.—On Saturday evening, this coach was robbed to a very extensive amount, while changing horses at the village of Kirkliston. The particulars of the robbery are still involved in considerable mystery ; but the following, we believe, may be relied on. A gig, with two men in it, had been observed following the coach for some time before its arrival at Kirkliston, where both stopped at the same inn. The men came out of the gig, and after one of them had given a boy fourpence to hold the reins of the horse, they both went into the house, while the guard and driver were either inside the house, or attending to the post-office duties. A passenger in the coach was observed by a woman at this time to descend into the boot, which the guard had left unlocked ; and this person did not afterwards make his appearance. The man who had given the boy the fourpence also disappeared, while his companion mounted the gig and drove off rapidly. It was then discovered that a bag, containing three parcels of bank-notes, which had been forwarded by the agent of the Leith Bank at Callender, of the Bank

Scotland at Stirling, and of the Commercial Bank at Crieff, and amounting in all to about £10,000, had been abstracted. It is next to self-evident, that the robbery was contrived and executed by the above-mentioned passenger and the two persons in the gig in conjunction; and it is about as certain, that, after its commission, they met by appointment on the road leading from Kirkliston to Queensferry, and arrived together on foot at Newhalls. Three men, answering the description of the robbers, did arrive that night at Newhalls, whence two of them proceeded to Edinburgh in a post-chaise, and the other went westward. It remains to be noticed, that early on Saturday, a man of the name of Murray, who has been hanging loose upon the town for some time, and whose history is unknown, hired a gig from Mr Smith's livery-stables, Rose-Street, and this person, late on Saturday evening,

called, along with a companion, upon Mr Smith, and after communicating to him that the horse and gig had been upset in a ditch at the side of the road from Kirkliston to Queensferry, desired to know what it would cost to repair the damage. Mr Smith estimated the damage at £40, which Murray paid him in ten pound notes of the Bank of Scotland. The horse and gig were actually found in the ditch, and from the marks of feet about the place, it was evident that *three* men had been engaged in endeavouring to extricate them. The most active search is making by the police to discover the robbers; and yesterday Captain Brown, late Superintendent of Police, was dispatched to London in pursuit of them. The guard of the coach is in custody. The loss of the Bank of Scotland, we understand, does not exceed £3000.

## No. IV.

## BIOGRAPHICAL CHRONICLE ;

or,

ACCOUNT OF EMINENT PERSONS DECEASED  
DURING THE YEAR.

## Mr G. BELZONI.

*Dec. 31, 1823.*—It is with sincere grief we record the death of Belzoni, the celebrated traveller. This event occurred at Gato in Africa, when he was attempting to reach Houssa and Timbuctoo by way of Benin. He had been a considerable time a very welcome guest on board the brig *Cas-tor*, waiting for the time when a Mr J. Houston could accompany him to Benin, whose interest with the king of that place he considered would be serviceable to him. On the night of the 24th of November, he left the brig with Mr Houston for Gato. On parting, he seemed a little agitated, particularly when the crew, to each of whom he had made a present, gave him three loud cheers on leaving the vessel. "God bless you, my fine fellows, and send you a happy sight of your country and friends!" was his answer. On the 3d of December, the gentleman who communicated the ac-

count of Belzoni's death to a friend in this country, received a letter from Mr Houston, requesting him to come to Benin, as Mr Belzoni was lying dangerously ill, and, in case of death, he wished a second person to be present. He was prevented from going, not only by business, but a severe fever, which had then hold of him. On the 5th, he had a second letter from Mr H. with the particulars of Mr Belzoni's end, and one from himself, almost illegible, dated Dec. 2, requesting him to assist in the disposal of his effects, and to remit the proceeds home to his agents, Messrs Briggs Brothers and Co. America-Square, London, together with a beautiful amethyst ring he wore, which he seemed particularly anxious should be delivered to his wife, with the assurance he died in the fullest affection for her, as he found himself too weak to write his last wishes and adieus. He was interred at Gato next day, with all the respect possible ; and this gentle-

man furnished a large board with the following inscription, and which was placed over his grave :

“ Here lie the remains of  
G. BELZONI,  
who was attacked with dysentery at  
Benin  
(on his way to Houssa and  
Timbuctoo)  
on 26 Nov., and died at this place,  
Dec. 3, 1823.

The gentlemen who placed this inscription over the grave of this intrepid and enterprising traveller, hope that every European visiting this spot will cause the ground to be cleared and the fence round the grave repaired, if necessary.”

At the time of Belzoni's death, Mr Houston had everything arranged with the king of Benin for his departure, and, had his health continued, there is no doubt he would have succeeded. Mr Belzoni passed at Benin as an inhabitant, or rather native of the interior, who had come to England when a youth, and was now trying to return to his country. The King and Emegrands (or nobles) gave credit to this, Mr Belzoni being in a Moorish dress, with his beard nearly a foot in length. There was, however, some little jealousy amongst them, which was removed by a present or two well applied ; and the King of Benin's messenger was to accompany Mr Belzoni with the King's cane, and as many men as were considered necessary for a guard, and baggage carriers. The King's name is respected as far as Houssa, and he has a Messenger or Ambassador stationary there. On Mr Belzoni's arrival at Houssa, he was to leave his guard there, and proceed to Timbuctoo, the King not guaranteeing his safety farther than Houssa, and Timbuctoo not being known at Benin. On his return to Houssa he

was to have made the necessary preparations for going down the Niger, and dispatch his messenger and guard back with letters to his agents and to Mr John Houston ; the messenger to be rewarded according to the account the letters gave of his behaviour, and the King to receive a valuable stated present.

The distance from Benin to Houssa is not so great. The King gave the following account of the route :— From Benin to Jaboo, six days' journey ; Jaboo to Eyoo, three ; Eyoo to Tappa, nine ; Tappa to Nyffoo, four ; and Nyffoo to Houssa, three. Between Nyffoo and Houssa, the “ Big Water ” is to be crossed, considerably above Tangara, at which place it is tremendously rapid and wide ; farther down the natives of Benin know nothing of it, except that it runs to the Southward. Mr Belzoni began to waver in his opinion of the Niger being a branch of the Nile, after having seen one or two of these rivers in the bight of Benin.

In 1821 Mr Belzoni published a “ Narrative of the Operations and recent Discoveries within the Pyramids, Temples, Tombs, and Excavations, in Egypt and Nubia, and of a Journey to the Coast of the Red Sea, in search of the Ancient Berenice ; and another to the Oasis of Jupiter Ammon.”

JOSEPH MARRYAT, ESQ.

Jan. 12.—Aged 67, Joseph Marryat, Esq. of Wimbledon House, in the county of Surrey, M. P. for the borough of Sandwich, Chairman of the Committee at Lloyd's, chief in the banking-house of Marryat, Kaye, Price, and Co. and Colonial Agent for the islands of Grenada and Trinidad.

The subject of the present me-



moir was descended from a highly respectable family at East Bergholt, in Suffolk. His father was an eminent but eccentric physician, who practised in Lothbury and at Bristol. Inheriting considerable natural parts, he gave very early promise of that superior capacity which so particularly distinguished him. Having received the groundwork of a good and liberal education, he was at great pains, even in maturer life, to cultivate and improve it. Being intended for the general profession of a merchant, he was sent out at an early age to the island of Grenada; where he laid the foundation of that intimate local knowledge of the whole West Indian Archipelago, and of its comprehensive relations both with Europe and America, which not only led to his subsequent success in life, but which gave to all his opinions connected with the concerns of those important colonies, that weight and that value which they afterwards acquired.

Mr Marryat may truly be said to have been the founder of his own fortune; for he inherited little or no patrimonial property or estate; and it may be instructive for younger men, who are venturing on their career of commerce, to know, from the example of this highly-gifted individual, that they should never be dispirited at the first results of unsuccessful enterprise; for the very first five hundred pounds in the world which he had to embark in the pursuits of industry, *he lost*.

He was early introduced to Lloyd's, where his pen, during a long period of war, judiciously and fortunately used, raised him (as he more than once acknowledged) to affluence. He then became agent to Grenada; then returned member for Sandwich; afterwards agent for Trinidad. In Parliament, he became the chief representative of the West India interest,

and the constant opposer of schemes of negro emancipation, which he represented as wild, speculative, and fraught with the utmost danger.

In the question respecting the equalization of duties on the East and West India sugars, Mr Marryat greatly distinguished himself, both by his speeches and his writings; and it is not perhaps going too far, mainly to attribute the failure of that very important measure to the very able opposition it met with from him in every stage of its progress. The most lasting monument of his usefulness will perhaps be left at Lloyd's; and that respectable body, equally with the West India proprietors, will ever owe to him the deepest obligations. The admirable regulations he established for managing their extensive concerns, and the unceasing care with which he watched over everything which could tend to the promotion of their interests, will not soon be forgotten. Lord Liverpool, with a feeling which does him the highest honour, has written to one of the committee of Lloyd's, to express his strongest regret at the "loss of a man of so much excellence and worth."

In the general style of his eloquence, whether in or out of Parliament, Mr Marryat was not an elegant speaker, but he was a very powerful, energetic, argumentative, and persuasive one. He never gave his opinions on any topic which he had not calmly and dispassionately weighed, so that when he spoke they carried very great weight.

Thus prosperous, active, and diligent, he was proceeding in his career with a happy family, several of whom are eminent in the navy, the law, and the church, when he was in a moment, "in the twinkling of an eye," arrested by the hand of death.

He has left one brother, Samuel Marryat, Esq. King's counsel, equally eminent in his station of life.

He published some anonymous tracts of merit, and with his name—"Speech in the House of Commons, on Mr Manning's motion respecting Marine Insurances," 8vo. 1810.—"Observations on the Report of the Committee on Marine Insurance," 8vo. 1810.—"Thoughts on the Expediency of establishing a new chartered Bank," 8vo. 1811.

RIGHT HON. SIR THOMAS MAITLAND.

*Jan. 17.*—At Malta, of apoplexy, the Right Hon. Sir Thomas Maitland, G. C. B., Lieutenant-General in the army, Colonel of the 10th foot, a Privy Counsellor, Governor of Malta, Commander of the Forces in the Mediterranean, Lord High Commissioner of the Ionian Islands, and Knight Grand Cross of the Ionian Order.

He was the third son of James, seventh Earl of Lauderdale, by Mary, daughter and co-heiress of Sir Thomas Lomb, who died July 10, 1789, but one month before the death of his father.

He was appointed Captain in the 78th foot, the 14th of January 1778; Lieutenant-colonel in the army, the 1st of March 1794; Lieutenant-colonel in the 62d foot, the 6th of August following; Colonel in the army, the 1st of January 1798; Brigadier-general at St Domingo, the 18th of April 1797; Brigadier-general in the West Indies, the 1st of January 1798; Colonel of the 10th West India regiment, the 6th of September 1798; Major-general on a particular service, the coast of France, the 14th of September 1799; Major-general in the army, the 1st of January 1805; Colonel in the 3d garrison battalion, the 25th of February 1805; local rank as Lieutenant-general in Ceylon, the 31st of July 1806; Colonel of the

4th West India regiment, the 19th of July 1807; Lieutenant-general, the 4th July 1811; and Colonel of the 10th foot, the 19th of July following. He was appointed Governor and Commander-in-chief, in and over the Island of Malta and its dependencies, the 15th of July 1813; and subsequently Governor and Commander-in-chief of the Forces in the Mediterranean.

This officer conducted the negotiations and proceedings of the surrender of Parga to the Turks.

The return of Sir Thomas Maitland to the Ionian Islands, in 1816, was welcomed by several very flattering addresses.

A triumphal arch of marble of the Ionic order, with an appropriate inscription, was erected on the Esplanade, facing the gate of the citadel; and the bronze statue of his Excellency occupies the site upon which stood that of the famous Count Schuembourg, erected by the Senate of Venice, to commemorate his glorious and intrepid defence of this fortress, and the complete defeat of the Turkish army, in 1716, by which he so effectually checked the progress of Mahometanism in Europe. The statue of the English Lord High Commissioner, which is of large dimensions, is the work of Signor Proserlendi, a native of that place, and an artist of merit, who studied under Canova.

We understand that his remains were buried in the same bastion at Malta which contains the ashes of the memorable Sir Ralph Abercromby. When his death was known by the Ionians, it was received with the utmost sorrow and regret, for they loved and respected him. In the Greek churches a *katafalco* was raised to his honour, and regular funeral ceremonies performed, amongst which the orations were most deserving of notice.

## MRS THICKNESSE.

*Jan. 20.*—This lady, whose maiden name was Ford, was born on the 22d Feb. 1737, in the vicinity of the Temple, in a house afterwards inhabited by Chief-Justice Willes. Her father, Mr Ford, was intended for the bar, but having obtained the respectable and lucrative situation of Clerk of the Arraignment, he changed his views, and became a solicitor, equally celebrated for his eminence and his extensive practice. One of her uncles, Dr Ford, was physician to the queen, and another, Mr Gilbert Ford, was Attorney-General for the Island of Jamaica.

Being an only child, the talents of Miss Ford were cultivated with the utmost care, and without regard to expense. The most eminent masters, both in the languages and in all ornamental accomplishments, were employed by her father in forming her mind and manners; and so completely had nature and inclination given her the power to profit by them, that it was no wonder she acquired the celebrity and admiration which always accompanied her. To great beauty of form, she united the sweetest temper and the most ready wit, wholly devoid of all personal severity. Introduced into the world of fashion, she soon became the *ton*; and Hone, the Sir Thomas Lawrence of his day, exhibited a picture of her in the character of a muse playing on a lyre. Some years afterwards, the celebrated Gainsborough painted a portrait of her in his best style. The grace of her movements was faultless, and her dancing drew from the polite and accomplished Lord Chesterfield several stanzas in its praise. In music she excelled, possessing an exquisite voice, replete with power, modulation, and expression. She also attained great skill in drawing and painting; and

even but a few weeks before her death, when in her 87th year, produced, without the aid of glasses, an admirable painting on white silk, as a bridal present to a young lady of her acquaintance.

It is not surprising that, with these various perfections, Miss Ford was followed, caressed, and flattered. Her Sunday concerts, for sacred music, were attended by all the gay and fashionable world; and many persons of consideration condescended to assist in them. Among the latter were, the Earl of Kellie, Countess of Tankerville, Lord Dudley and Ward, Lord Bateman, Sir Charles Bingham, Marchioness of Rockingham, Governor Thicknesse (Miss Ford's future husband), &c. &c. Some of the ablest professors of that period, such as Dr Arne, Signors Tenducci and Passerini, Messrs Leoni, Saltero, Paxton, Burton, Froud, Baildon, &c., contributed their talents to this musical treat. Of all these companions of her youthful hours, there is not an individual who has not long been deposited in the silent grave.

Among the admirers by whom Miss Ford was at that time surrounded, was a nobleman, who was a constant visitor at her concerts. He was, indeed, old; but, at the same time, he was agreeable, gay, and rich. Notwithstanding he was then married to a Duchess Dowager, yet he still presumed to talk of love; and, as his lady was suffering under a malady deemed incurable, and which, soon after, actually put an end to her life, he was already looking out for a successor. Being enraptured with the person and talents of the fair subject of this memoir, he declared his passion, and offered to bind himself down, by the most sacred promises on the one hand, and by every legal obligation on the other, to make her his wife on the demise of his lady. This

coronet in expectancy had, however, no charms for Miss Ford, and she rejected the addresses of her noble suitor.

About this period, Miss Ford was invited to a theatrical entertainment at the hospitable mansion of the late Sir William Young, and was complimented by him and Lady Young with the nomination of the play. After being repeatedly urged by both, she at length fixed on "Romeo and Juliet," and consented to appear in the principal female character. On this occasion, Miss Ford certainly possessed advantages over most of her contemporaries. She had been taught to read by Sheridan, the father of Richard Brinsley; she was well acquainted with Garrick, whom she had often heard recite in private; and Mrs Cibber, with whom she lived on friendly terms, gave her lessons, to qualify her for shining on the stage. But poor Juliet, while rehearsing the balcony scene, had nearly been consigned to "the tomb of the Capulets;" for she fell from a screen placed on a table, and instead of a mimic death, ran no small risk of being buried in reality.

Soon after, finding herself closely pressed by her father respecting some proposals for settling in life, Miss Ford came to the resolution of flying from the paternal mansion, and taking refuge in the house of a lady of quality of her acquaintance. Here she deemed herself secure from pursuit, but she was mistaken, for a warrant having been granted by Sir John Fielding, (whose very name at that time carried terror with it,) she was captured, and taken home. Here she was again strongly urged to consent to a union with the gentleman who was her father's favourite, and who was a West Indian, possessed of considerable estates in Jamaica. The idea, however, of marrying a man she could not love, and of being sent into exile

at a distance from all her friends, was of course intolerable to a young lady of sensibility. She accordingly eloped a second time, and, having taken a lodging at Kensington, for some time eluded all inquiry. In this situation, instead of resigning herself to melancholy, she determined to turn her talents to advantage, and by one bold effort, to render herself independent. As she had lived in habits of familiarity with the first nobility, she conceived the notion of rendering their patronage subservient to her scheme. She therefore hired the Opera-House for three nights only, and provided an excellent band of music. Nor was she disappointed in her expectation of support, for every one was eager to subscribe. But the undertaking had nearly been rendered abortive by her father. He was naturally indignant at his daughter's having left his house, and he was shocked at the idea that she should appear upon the stage, for any period, however short, or under any circumstances, however favourable. He therefore applied to the same magistrate who had before assisted him; and all the avenues to the Haymarket were occupied by Sir John Fielding's runners. By the active interposition, however, of some of Miss Ford's friends, and especially of the late Lord Tankerville, then an officer of the guards, this opposition on the part of the police was withdrawn.

The timidity incident to a first performance was much relieved by the universal kindness and support which Miss Ford experienced. Previous to her appearance, Prince Edward condescended to drink tea with her in the green-room; and, on her entrance, the audience received her with loud bursts of applause. Thus encouraged, Miss Ford exerted herself, and sang with great power and sweetness, principally the compositions of Handel.

On the two succeeding nights the performance was repeated, with equal success; and the sum which Miss Ford thus derived from her personal talents, amounted to no less than fifteen hundred pounds.

Some relaxation, after such an exhausting effort, was indispensable; and Miss Ford accepted an invitation from her intimate friend, Lady Betty Thicknesse, and accompanied her Ladyship and Governor Thicknesse into Suffolk. While there, Lady Betty was delivered of a boy, of whom Miss Ford became the godmother. The mother herself did not long survive his birth. Governor Thicknesse, who was greatly affected with his loss, immediately left the spot where she died, consigning the care of his family to Miss Ford, who acted with such discretion and propriety, as to ensure his entire approbation on his return. Time, and change of scene, having abated his grief, Governor Thicknesse began to think that no one could better supply the place of his lady than her most intimate friend. After due courtship, finding the fair one "nothing loath," the wedding (which might be termed a public one, as upwards of 300 ladies and gentlemen were present on the occasion) took place on the 27th of September, 1762; and as the union was founded on reciprocal esteem, so it continued during thirty years with unbroken and uninterrupted felicity.

As Governor Thicknesse, from the loss of a Chancery law-suit, was involved in narrow circumstances, a great part of their time was spent in retirement in Wales, or on the Continent. The Governor died in her arms, in his carriage, while travelling near Boulogne in 1792. She was soon after arrested, and confined with many other English, in the convent of the Ursulines, and treated with great rigour; and being with others senten-

ced to death, she, by her amiable manners and urgent prayers, procured a few hours' delay before the intended execution, during which ~~Re-~~riod Robespierre himself and his associates were led to the scaffold; while herself, and the other intended victims, were saved by this circumstance. At length, after much suffering, she returned to her native country, and has, since that period, passed her life in peace and serenity, living with a much-attached and sincere friend, ~~t.~~ the moment of her dissolution—she having departed this life on the 20th of January, 1824, with a firm reliance on the promises of her merciful Redeemer, and in full hope of a blessed resurrection. She fully retained to the last her admirable powers; her eyesight being as perfect as at 20; her hair luxuriant, and without a grey tress in it; her teeth, not one deficient, retaining their enamel and ~~de-~~ rability; and her mind active, studious, and playful; her arguments perspicuous and energetic; her wit brilliant, but never severe. Her mornings were to the last devoted to study; and many writings of a very late period of her life, and some on abstruse subjects, are left behind her. Her evenings found her generally surrounded by a small but select party of friends, all listening with delight to her lively anecdotes of past times, and enlivened by the constant sallies of wit on the daily occurrences passing before her; or receiving those lessons of instruction, which were so elegantly and unostentatiously given to them. Her ease and elegance of manner were not to be copied; her goodness of heart and liberality of spirit may; but a more perfect model of Christian humility and forbearance was never better exemplified than in the life and conduct of Mrs Thicknesse. She published, in two volumes, a work, called "The School

of Fashion," which had a prodigious run, being full of satirical truth upon some of the most fashionable characters of that day. She also published "Biographical Memoirs," in three or four volumes, of the most eminent females of the French nation; and, without a name, many tracts on religious and moral subjects. She conversed freely in Spanish, Italian, French, and German; but so perfectly devoid of all pedantry, that she was never known to protrude that knowledge in any circle which she honoured and graced by her society. With a liberality peculiar to herself, she once sang at a public concert at Bath, which was given for the purpose of raising a fund sufficient for the building of an hospital. An immense sum was raised by this procedure, which gave rise at her suggestion, and by this generous assistance of herself and others, to the present valuable foundation there, called the Casualty Hospital; thus she made her voice not merely subservient to pleasure, but to alleviate the miseries and accidents of human nature. She never was tired of well-doing; how many enmities has she subdued! how much anger has she dissipated! Peace, indeed, was in all her steps. She died as she had lived, bowing herself with all humility to the dispensations of Providence; cheerfully, it may be said truly, departing this life, surely trusting in the merits of her Redeemer, full of holy hope, and duly appreciating all the comforts of our holy religion. She was interred in the burying-ground at Paddington, on the 28th of January, the service having

been finely and impressively performed by the Rev. Basil Wood, and followed, at her own especial request, by her only son, Captain Thicknesse, royal navy, and three gentlemen, her long-trying and valued friends.

#### SIR JOHN ORDE, BART.

*February 19.*—In Gloucester-Place, aged 73, Sir John Orde, Bart. Admiral of the Red, and Vice-President of the Naval Charitable Society.

The family of Orde is of great antiquity, and has long possessed considerable landed estates in the counties of Northumberland and Durham. The subject of this memoir was the youngest son of the late John Orde, Esq. who lived chiefly at Morpeth, and acted for many years as a magistrate and deputy-lieutenant of the former county, by his second wife Anne, widow of the Rev. W. Pye, and was born at Morpeth, December 1752.\*

He entered the navy in 1766; was made Lieutenant in 1773; was appointed to the *Roebeck* on the American station, where he remained till 1777, when he was removed to the *Eagle*, Lord Howe's flag-ship, as first Lieutenant.

He commanded the *Zebra* sloop of war, at the reduction of Philadelphia; and, May 19, 1778, was advanced to the rank of Post-Captain, in the *Virginia* of 32 guns, a frigate recently captured from the Americans. In the autumn of 1779, Captain Orde accompanied Commodore

\* Sir John's eldest brother, Thomas, married the only daughter of Charles, fifth Duke of Bolton, in whose right he succeeded, on the death of Harry, the sixth and last Duke, without male issue, to the principal family estates of the Dukes of Bolton, and assumed the name of Powlett. He was afterwards created a Peer, by the title of Baron Bolton.

Sir George Collier in the expedition up the Penobscot, which terminated in the capture or destruction of the whole of the rebel fleet in that river, consisting of eighteen ships and vessels of war; and the relief of Fort M'Lean, which had been closely besieged by the enemy.

In 1780, the Virginia assisted at the taking of Charlestown, where, after passing Sullivan's Island, Captain Orde served on shore in the command of a battalion of seamen, and was favourably noticed by Admiral Arbuthnot, in his official dispatches relative to that event.

He afterwards commanded the Chatham of 50 guns, and captured the General Washington, of 22 guns and 118 men. In 1781, Admiral Arbuthnot being recalled, Captain Orde conveyed him to England in the *Roc-buck*, into which ship he had removed for that purpose. During the remainder of the war, he was employed in the North Sea, and on the coast of France.

In February 1783, the preliminaries of peace having been signed, Captain Orde was honoured with the appointment of Governor of Dominica, and Receiver of the Moneys arising from the sale of land in the ceded islands; and, on the 27th July, 1790, the dignity of a Baronet was conferred upon him.

At the breaking out of the French Revolution, Sir John solicited and obtained permission to resign his government, and to resume the active duties of his profession. He was immediately appointed to command the *Victorious*, and soon afterwards the *Venerable*, of 74 guns, attached to the Channel Fleet. From the latter he removed into the *Prince George*, a second-rate, and continued in her until June 1, 1795, when he was promoted to the rank of Rear-Admiral.

In the beginning of 1797, Sir John

Orde assumed the command at Plymouth during the absence of the Port Admiral, the late Sir Richard King. On this service he continued until the close of the disgraceful mutiny in the month of May; soon after which, he hoisted his flag on board the *Princess Royal*, of 98 guns, and joined the fleet under the orders of Earl St Vincent on the Mediterranean station.

In November following, the Rear-Admiral was sent by his lordship, with the command of a squadron of eight sail of the line, and a proportionate number of frigates and sloops, to blockade the port of Cadiz.

There he continued till relieved by Sir W. Parker, in January 1798; and was sent back on the same service, after that officer had been compelled to leave his station by superior force. This service, though certainly not the most splendid, was not the least arduous, especially during the winter-months, when Sir John principally conducted it. The position necessarily taken by the blockading squadron was embayed. In the port of Cadiz there were about twenty sail of the line, with some frigates, kept apparently in constant readiness to put to sea, which threatened on one side; whilst, on another, the squadron was liable to attack from the Toulon fleet, unchecked in its operations, and known to be preparing for some important expedition.

On Earl St Vincent resuming the immediate command off Cadiz, the Rear-Admiral received his thanks in the following words:—"You have shown uncommon ability and exertion in preserving your position during the late unpleasant weather, and I very much approve every step you have taken."

Not long after this, Sir J. Orde was much mortified at finding an officer (Sir H. Nelson) junior to himself, just arrived from England, selected

to command a squadron on the only service of distinction likely to happen. Although the public must approve of this choice, it could not but be galling to Sir John, who, by the junction also of Sir Roger Curtis, with a reinforcement from Ireland, was reduced to be only fourth in command of the fleet; whereas he had accepted the appointment under Earl St Vincent on an intimation from one of the Lords of the Admiralty, the late Lord Hugh Seymour, that he should be second to the Noble Earl, with all the distinctions and advantages annexed to that station.

This led to a correspondence between his Lordship and Sir John, which terminated in the latter receiving orders to shift his flag to the *Blenheim*, and to return to England in charge of a large fleet of merchantmen. Before he left the fleet, the Rear-Admiral, conceiving that he had been treated in a manner unsuitable to his rank, wrote a letter to the Admiralty, requesting a court-martial on the Commander-in-Chief, which he sent to Lord St Vincent to forward.

On Sir John's arrival in England, he was acquainted by Mr Secretary Nepean, that the Board did not consider the reason Earl St Vincent had assigned for sending him home, sufficient to justify the measure; but that, having already signified their opinion to his Lordship on that head, it was not necessary to take any farther steps on the occasion. The *Blenheim* was immediately dismantled, and, a few weeks after, Sir John was offered a command in the Channel Fleet. This, however, he thought proper to decline.

On the 14th February 1799, our officer was advanced to the rank of Vice-Admiral; and, in the following autumn, Earl St Vincent returned to England for the purpose of recruit-

ing his health. Sir John Orde, who considered himself to have been *personally* insulted by his Lordship, lost no time in calling upon him for *private* satisfaction; and a meeting was appointed to take place between them, but was happily prevented through the interference of the police.

In 1801, he was appointed Vice-Admiral of the White. In 1802, soon after the definitive treaty of peace was signed, Sir John, who seems to have waited for that event, published his case in a small pamphlet, entitled "Copy of a Correspondence, &c. between the Right Hon. the Lords Commissioners of the Admiralty, the Right Hon. Earl St Vincent, K.B., the Right Hon. Earl Spencer, K.G., and Vice-Admiral Sir John Orde, Bart.;" the circulation of which he had previously confined to his friends. This pamphlet appears to have been written with temper and moderation, and is well worthy of perusal, especially by professional men.

In 1804, he was advanced to the rank of Vice-Admiral of the Red. On the renewal of hostilities, and the removal of Lord St Vincent from the chief administration of naval affairs, Sir John accepted the command of a squadron, and cruised off Cape Finisterre during the autumn of 1804. In 1805, we find his flag in the *Glory*, of 98 guns, off Cadiz; from which station he was compelled to withdraw, in consequence of the appearance of the combined fleets, on their way to the West Indies. He was promoted to the rank of Admiral of the Blue, November 9, following.

Sir John Orde was one of the supporters of the pall at the funeral of Lord Nelson, to whose merits he had ever rendered the fullest justice, however much he had occasion to condemn the preference shown to him in the summer of 1798.

In 1807, when his nephew, the



present Lord Bolton, was called to the House of Peers, in consequence of the demise of his father, Sir John Orde succeeded him in the representation of the Borough of Yarmouth, in the Isle of Wight.

In 1814, he was appointed Admiral of the White.

He married first, Feb. 8, 1781, at Charlestown, Margaret, daughter and heiress of Richard Stephens, Esq. of St Helena, in South Carolina; she died in 1789, leaving no surviving issue; secondly, in December, 1793, Jane, eldest daughter of John Frere of Finningham, county of Suffolk, Esq. by whom he had two children; the eldest succeeds him.

#### MARQUIS OF TITCHFIELD.

*March 5.*—At Portland House, in St James's Square, in his 28th year, the Most Noble William Henry Cavendish Bentinck, Marquis of Titchfield, eldest son of William Henry, present Duke of Portland, by Henrietta, eldest daughter and co-heiress of the late General Scott of Balcomie, county of Fife, N. B. He was born August 28, 1796, and after a domestic education under the ablest instructors, was sent, at Easter in 1815, to Christ Church College, Oxford, and there placed under the tuition of that elegant and accomplished scholar, Dr Edmund Goodenough, the present learned head master of Westminster School, whose father, the venerable Bishop of Carlisle, had fulfilled the duties of the same office to the father and family of this lamented nobleman.

At the public examinations at Michaelmas, 1818, the name of the Marquis appeared in the second class of those who had distinguished themselves for superior proficiency in classical literature; after this honourable tribute to his abilities and industry,

he quitted the university, where his correct and exemplary deportment, during a three years' residence, gained the lasting attachment of every member with whom he was connected. Respected by his seniors, beloved by his contemporaries, few men entered the "world's great stage" with brighter prospects before them. His character, thus eminent and unsullied at the place of his education, was afterwards destined to display itself with no less brilliancy in the senate of his country, to which an honourable ambition incited him to display the talents, so useful and conspicuous, with which nature and application had endowed him.

Accordingly, in 1819, he was elected M.P. for Blechingley, in Surrey, on Matthew Russel, Esq. vacating his seat for that borough; and in 1821, on Sir Martin Foulkes's retirement, for King's Lynn, which he continued to represent up to the period of his decease. If his speeches in the House of Commons were not embellished with the sublimer flights of eloquence, imagination, and oratory, they manifested no inconsiderable portion of judgment, accuracy, and good sense. With a diffidence of manner which conciliated his hearers, though nearly connected by his mother with a leading member of Administration, his opinions were perfectly independent, and the votes he gave showed sentiments superior to party or personal considerations. The disorder which carried off thus prematurely one of such fair promise, was occasioned by an abscess on the brain, the acute suffering of which he bore with manly fortitude. His remains, on March 13, were interred in a vault formerly belonging to the family of Faucet, (anciently Lords of Mary-le-bone,) in the old parish church; where also the late Duke and Duchess of Portland, and several

branches of the families of Coates, Greville, and Bentinck, have been buried.

#### REV. THOMAS MAURICE.

*March 30.*—At his apartments in the British Museum, after a long and painful illness, in his 70th year, the Rev. Thomas Maurice, M. A. Assistant Keeper of the MSS. in that Institution; and Vicar of Cudham, Kent, and Wormleighton, Warwickshire.

The family of Maurice is of high Cambrian origin, and allied to the ancient princes of Powis. The pedigree of Maurice shows their descent in a regular line from the celebrated chief Einion, who ranks at the head of one of the five royal tribes of Wales. That branch from which our author descended settled at Whittington in Shropshire. His grandfather, Thomas Maurice, Esq. was the younger brother of Edward Maurice, Esq. of Lloran and Pen-y-bont. This Thomas Maurice having received the fortune of a younger brother, and having increased it by a marriage with the daughter of John Trevor, Esq. of Oswestry, towards the close of the 17th century, settled as a merchant in London, but was ruined in the South Sea Bubble, in 1721. He had three children, Thomas, (father of our author,) brought up to succeed him in his own line, Peter, and John.

On the death of his father, the subject of this memoir was first sent to Christ's Hospital; but his health declining, he was removed in about a year and a half, to an academy at Ealing, then kept by Mr Pearse, and now flourishing under the superintendence of the Rev. Dr Nicholas. Thence he was removed, in consequence of his mother's attachment to methodism, to the "Athens of Wesleyan literature, in the neighbourhood of Bristol." His next preceptor was

Mr Bradley, a learned orthodox clergyman, near London. His original destination, the Church, being now considered impracticable, he was placed in the chambers of Mr Brown, of the Inner Temple, preparatory to the study of the law. But instead of writing notes on Coke and Blackstone, he was engaged in the study of Ovid and Tibullus, or Shakespeare and Milton.

Circumstances now placed him under the tuition of Dr Parr, who benevolently received Mr Maurice under his protection, directed his studies, with what success will subsequently appear, and supported him, though with slender appearances of receiving an adequate remuneration. The affection between these learned men continued till death divided them. Dr Parr ever considered T. Maurice as his admired pupil and highly-esteemed friend; and Mr Maurice ever entertained for the Doctor (as we have above seen) the deepest gratitude and sincerest affection.

At the age of 19, Mr Maurice was entered at St John's College, Oxford; and in about a year afterwards removed to University College, under the tuition of the present Lord Stowell.

Whilst at the university, he cultivated his poetic talents:—"I began my career in life," says Mr M. "as a *Poet*, and my publications in that line were honoured with no inconsiderable share of the public approbation; the literary public I mean; as of my principal work, the translation of the noblest tragedy of Sophocles, they alone could be competent judges. The history of their composition forms, indeed, an essential part of the history of my own life, with which, in its early periods, they are inseparably connected."—"The warm commendations of a Johnson, a Parr, and a Jones, with which my translation of

the *Œdipus Tyrannus* was honoured, have excited in me hopes that it will not wholly be doomed to oblivion."

The first idea of Mr Maurice's becoming a *historian* (but of *what* he had not a conception) was suggested by the composition of *historical exercises*, at the seminary of Dr Parr, and the commendations bestowed on one of those exercises. This spark was fanned into a flame when he attended the incomparable lectures on history by his respected tutor at University College, the present Lord Stowell.

About 1783 he first began to meditate a History of India, drawn up in a *popular* way, from the era of the invasion of that country by Alexander, down to the time that Mr Orme's work commences. To detail the history of 2000 years was no trifling concern; but Mr M. applied himself resolutely to the task, devoting at least three or four hours a-day for five years to perusing, translating, revising, and arranging his materials.

In 1785, finding the weekly duty of an extensive parish like Woodford incompatible with his studies, he relinquished that curacy for the chapel of Epping, where only attendance on Sundays was required.

The first public step taken by him appeared in 1790, in a "Letter to the Court of Directors of the East India Company, containing proposals for printing the History of the revolutions of the Empire of Hindostan, from the earliest ages to the present, with a Sketch of the Plan on which the work will be conducted; a concise account of the authors who will be consulted; and a short retrospect of the general history."

Mr Maurice had nearly completed his arduous task, when the French Revolution broke out; and neither his conviction, the result of education and reflection, nor his profession,

would permit him to publish any respecting India, without an effort at least to refute the argument and subvert the hypothesis of the atheists of the day, who had taken their stand to endeavour to root out Christianity, and demoralize the world. His nearly finished work was therefore laid aside, and an ample field was to be traversed. New books were to be procured, and toilsome vigils endured. Three more years were therefore consumed in this investigation; and at length, in 1791, his two first volumes appeared under the title of "*Indian Antiquities, or dissertations relative to the ancient geographical divisions, the pure system of primæval theology, the grand code of civil laws, the original form of government, and the various and profound literature of Hindostan, compared throughout with the religion, laws, government, and literature, of Persia, Egypt, and Greece; the whole intended as introductory to the History of Hindostan, upon a comprehensive scale; 8vo, with plates.*"—This work was written with great labour, perspicuity, and talent, and it embraced a multitude of important objects. The various and complicated subjects in the dissertation on the Indian theology may be judged of by the summary of their contents prefixed to these volumes. A third volume was produced in the following year, in which not only the rites practised within the pagodas, but the singular style of architecture of Indian pagodas themselves, was extensively discussed.—A fourth appeared in 1794, in which, at great length, he enforced and illustrated the doctrine of the Trinity, from the universal prevalence, in Asia, of the doctrine of divine Triads.—A fifth volume followed shortly after, in which that important subject was resumed; while the concluding portion of it contained strictures relative to the almost

incredible excruciating penances of the Hindoos, and the Indian metempsychosis.—A considerable pause in the publication here ensued, occasioned by impaired health, and exhausted funds; but in 1796, chiefly through the princely liberality of the late Honourable and Reverend Robert, fourth Earl of Harborough, a sixth volume was published, divided into two parts, of which Part I. contained a Dissertation on the peculiar Superstitions of the Sect of Buddha, compared with those of the Druids of Europe, whose reverence for rocks and stones of enormous dimensions seems to have been congenial; and Part II. a Dissertation on the Commerce carried on by the Phœnicians and ancient Greeks with the British Islands for Tin.—The seventh and final volume contained discourses on the immense treasures in gems and bullion possessed by the ancient Indian monarchs; and the arts and manufactures of India, which were, in a great degree, the sources of those treasures. An analysis of the institutions of Menu, their celebrated law-giver; and extensive strictures on the ancient form of government established among that celebrated people, concluded the work.

On bidding adieu to this subject, he expresses a fervent hope that “his humble essays (as he is pleased to call them) on the antiquities of India may be the forerunner of some grander effort, more fully and effectually to display them; since (adds he) my mind is eternally impressed with the conviction that every additional research into their early annals and history, will ultimately tend to strengthen and support the Mosaic and Christian codes, and consequently the highest and best interests of man.”

In 1795 appeared the first volume of his “History of Hindostan;” its Arts and its Sciences, as

connected with the history of the other great empires of Asia, during the most ancient periods of the world; with numerous illustrative Engravings,” 4to. In this volume Mr Maurice discusses the curious and important topics of Indian Cosmogony; the four Yugs, or grand astronomical periods; the longevity of the primitive race, &c. The second volume of this work followed in 1798; and the third and final Part in 1799.

About 1796, he first became acquainted with that truly benevolent character, the late Dr John Coakley Lettsom. Under his hospitable roof at Grove Hill, a great portion of his Indian Antiquities was written, and some of his happiest hours were passed. As a return for the accumulated favours of many years, Mr M. composed his descriptive poem of “Grove Hill,” which he published in 1799, accompanied with an “Ode to Mithra.”

In 1798 he published “Sanskrit Fragments, or Extracts from the several Books of the Brahmins, on subjects important to the British Isles,” 8vo.

In 1802 he published the first volume of his “Modern History of Hindostan,” and in 1804 the second volume. In this work Mr Maurice undertook to collect together, into one body, the fragments of historical information respecting India, which are to be found in the early classical, as well as Moslem writers, and to illustrate both by such additional documents as are afforded by the Ayeen Akbery, the Asiatic Researches, and other authentic publications; and his intention was to bring down the Indian history, collecting, as he descended, and incorporating together, the various accounts given by Arabian, Venetian, Portuguese, and British writers, in the successive centuries in which they flourished, to the close of the 18th century.

In 1804, on the death of the Rev. Samuel Ayscough, he was presented by the Lord Chancellor, to the vicarage of Cudham, in Kent.

In 1812, he published "*Brahminical Fraud Detected, in a series of Letters to the Episcopal Bench,*" &c. in which the attempts of the Sacerdotal tribe of India, to invest their fabulous deity Crishna, with the honour and attributes of the Christian Messiah, known to them through the medium of the *Evangelium Infantiae*, or what is vulgarly called St Thomas's Gospel, are examined, exposed, and defeated. This investigation proved laborious, extending over a wide and little explored field. The pamphlet traces to their true source the origin of all the spurious Gospels, as well as the mode by which they reached India and Persia.

In 1816, he published "*Observations connected with Astronomy and Ancient History, sacred and profane, on the Ruins of Babylon, as recently visited and described by Claudius James Rich, Esq.*" 4to; and in 1818, "*Observations on the Remains of Ancient Egyptian Grandeur and Superstition, as connected with those of Assyria: forming the Appendix to Observations on the Ruins of Babylon, with illustrative Engravings,*" 4to.

In 1821, he reprinted his "*History of Ancient India,*" after it had been many years out of print, with all the original plates, the Avatars, Zodiacs, &c. Many corrections and improvements distinguish this new edition. This republication gave unfeigned pleasure to the worthy author, as being so appropriate, in his opinion, to that period, when Anarchy and Infidelity were again endeavouring to rear their blood-stained standards in this country.

One of the last literary occupations of Mr Maurice, was the writing of his own "*Memoirs; comprehending the*

*History of the Progress of Indian Literature, and Anecdotes of Literary Characters in Britain, during a period of 30 years.*" Part I. was printed in 1819, and a second edition in 1821. The second part of the "*Memoirs*" followed in 1820; including a Tour in 1775, to Derbyshire, Westmoreland, and Cumberland; and the third part was published in 1822. This brings down Mr Maurice's History to about the year 1796; but the fourth, or what was to be the final part, we regret to say, was never published.

This is a most amusing piece of auto-biography. The author does not conceal his own indiscretions, but the pleasant way he narrates them, and the evident goodness of his heart, induce the reader to pity and to forgive. But what renders the work truly delightful, are the numerous interesting anecdotes of the eminent contemporaries with whose acquaintance and friendship Mr Maurice was honoured.

The death of this learned and esteemed man may be considered as a most desirable release from helplessness and hopeless misery. He was a man of great genius, lively, instructive, and good-humoured. His talents, attainments, and virtues, amply expiated his singularities and his infirmities.

#### BARON MASERES.

May 19.—At Reigate, Surrey, in his 93d year, Francis Maseres, Esq. M.A. F.R.S. F.S.A. Cursitor Baron of the Exchequer. This literary veteran was born in London, 15th December 1731, of a family originally French, but settled here on the revocation of the Edict of Nantes. His grandfather was one of five brothers, who were unequally divided, when the call was made on them for an

avowal of their religious principles, three of them adhering to the Protestant faith, the other two, the head of the family, and the physician, quitting it for the doctrines established by law : and what is remarkable, the three who thus distinguished themselves were officers in the French king's service. The Baron's grandfather was well received by William the Third, served under him in Ireland, and was employed by him in important services in Portugal ; but he attained no higher rank than that of colonel. His father was a physician in Broad Street, Soho, which residence he quitted for one in Rathbone Place, occupied by his widow after his decease, then by his son John, at whose death it came into the possession of the Baron, who, out of term-time, used to dine, though he never slept there. He received his education at Kingston-upon-Thames, under the Rev. Mr Woodeson, after which he became a member of Clare Hall, Cambridge, where he took his degrees of B.A. 1752, and M.A. 1755.

In 1752, he obtained the first classical medal at the first institution by the Duke of Newcastle, then Chancellor of the University, which he received from the Chancellor in person ; the second being conferred on Porteus, then of Christ's, afterwards Esquire Bedell of the University, and latterly Bishop of London.

While fellow of his college in 1758, he published " A Dissertation on the Negative Sign in Algebra ; containing a Demonstration of the Rules concerning it : " the design of which is, to remove the difficulties that deter beginners in Algebra, in the use of this sign, which is considered by the Baron in no other light than as the mark of the subtraction of a lesser number from a greater. Hence, he denied the propriety of such expres-

sions as negative roots, impossible roots, generation of equations, &c. &c., and would never read those works in which they were introduced. The celebrated Dr Waring found him tenacious on this point ; for, having presented to him his " *Miscellanea Analytica* ; " and called on him at a suitable time afterwards, he found that the Baron had not got to the second page of his work. The difficulty of understanding it was stated as the excuse, and the doctor attempting to remove it, was stopped by the simple remark, that, in the first page, an expression occurred implying that the greater number should be taken from the less. This was assented to by the Doctor, and the Baron not allowing that such a process could ever take place, there was an end to all farther discussion. The first part of the work contains the demonstrations of the several operations of addition, &c. in the way of using the negative sign ; the second part, the doctrine of quadratic and cubic equations.

From the University, Mr Maseres removed to the Temple, where, in due course, he was called to the bar, and went the Western Circuit with little success. His first appointment was that of Attorney-General of Quebec, where he distinguished himself by his loyalty during the American contest, and his zeal for the interests of the province. On his return to England, he was made Cursor Baro of the Exchequer in August 1773, which office he filled with great reputation till his death. He was also, on his return from Quebec, agent to the Protestant settlers there, in which capacity he wrote a letter to the lord mayor, expressing the sincere and hearty thanks of the settlers for the city's mark of their fraternal regard, testified towards them by their address to the king in their behalf, and requesting the lord mayor, &c. once

more to exert themselves, in order to recover the civil and religious rights of a no inconsiderable number of honest and enterprising subjects of the crown, &c.

§ In 1779, the Recorder of London appointed Mr Maseres his deputy, and, in 1780, the Court of Common Council appointed him Senior Judge of the Sheriff's Court in the city of London; which office he resigned in 1822.

In 1784, he took an active part with Bishop Horsley and others in the contest in the Royal Society, occasioned by displacing Dr Hutton, (see Vol. XCIII. i. p. 230.)

In 1800, the Baron published tracts on the Resolution of Affected Algebraic Equations, by Dr Halley, Mr Raphson, and Sir Isaac Newton. This volume also contains Colonel Titus's Arithmetical Problem; and another solution by William Frend, M.A. Fellow of Jesus College; with the Baron's Observations on Mr Raphson's Method of solving affected equations of all degrees by approximation.

It was to the liberal and enlightened patronage of Baron Maseres that the public are indebted for the Rev. John Hellins' valuable translation of Donna Agnesi's "*Institutioni Analytiche*." It had been translated many years before by the then late Professor Colston, the ingenious commentator on the Fluxions of Newton. Baron Maseres, who in early life had known Colston, and had reason to infer from his conversation that he had written a treatise on the higher geometry, which he had never published, was desirous of discovering this MS. and of giving it to the world. In his search he found, not the work he looked for, but Colston's translation just mentioned; and after removing some pecuniary difficulties, which, without such generous

assistance, would probably have for ever withheld it from the world, he obtained a copy of it, and put it into the hands of Mr Hellins, who undertook to become its editor, and under whose inspection it was published in 3 vols. 4to. 1802.

Besides the publications of the Baron, noticed above, he is either the author or editor of the following:—

"The Elements of Plane Trigonometry, with a Dissertation on the Nature and Use of Logarithms," 1760, 8vo.—"An Account of the proceedings of the British and other Protestant Inhabitants of the Province of Quebec, in order to obtain a House of Assembly," 1775, 8vo.—"The Canadian Freeholder, consisting of Dialogues between an Englishman and a Frenchman settled in Canada," 1779, 3 vols. 8vo.—"Montesquieu's View of the English Constitution, translated, with notes," 1781, 8vo.—"The Principles of the Doctrine of Life Annuities," 1783, 1 vol. 4to.—"The Moderate Reformer; or a proposal to correct some abuses in the present establishment of the Church of England," 1791, 8vo.—"Enquiry into the extent of the Power of Juries, on trials for Criminal Writings," 1792, 8vo.—"Scriptores Logarithmici," 1791-1807, 6 vols. 4to. (See vols. LXIV. p. 447. LXXI. p. 997.)—"James Bernoulli's Doctrine of Permutations and Combinations, with some other useful Mathematical Tracts," 1795, 8vo.—"Appendix to Frend's Principles of Algebra," 1799, 8vo.—"Historiæ Anglicanæ Monumenta," 4to.—"Occasional Essays on various subjects, chiefly Historical and Political," 1809, 8vo.—"May's History of the Parliament of England which began 3d Nov. 1640; a new edition with a preface," 1813, 4to.—"Three Tracts published at Amsterdam in 1691, and two under the name of

Letters of General Ludlow to Edmund Seymour, and other Persons, a new edition, with a preface," 1813, 4to. — "The Irish Rebellion; or a History of the Attempts of the Irish Papists to extirpate the Protestants, by Sir John Temple, a new edition, with a preface," 1813, 4to. — "The Curse of Popery and Popish Pains to the Civil Government and Protestant Church of England; reprinted in 8vo, 1807. — In 1820, he published a new edition of Dr James Welwood's "Memoirs of the most material Transactions in England, for 100 years preceding the Revolution in 1688," 8vo.

In 1815, he published a collection of "Select Tracts relating to the Civil Wars in England, temp. Chas. I. and Cromwell's Usurpation." 2 vols. 8vo.

The Baron also wrote numerous articles in the *Philosophical Transactions*, and the following paper in vol. 41. of the *Archæologia*; "View of the Ancient Constitution of the English Parliament;" which produced some observations from Charles Melish, Esq. F.S.A. in the same volume.

From the above list of publications will be seen the general tenor of the Baron's studies, in which he was assiduously engaged from the time that he left the University. His great work, the "*Scriptores Logarithmici*," is of a nature from which no pecuniary advantage was to be expected, and his liberality in presenting a copy of it to various public bodies, and to individuals, was such, that he was very much out of pocket by the publication. But he never regarded expense, either as to his own works or those which he patronised of others, and he was never wanting in assisting authors whose works he deemed worthy of being submitted to the press. In this case it was common with him to take upon himself the whole expense of printing and paper, leaving the author to repay him when it suited

his convenience; or, he gave him the printing and paper. In one case he advanced above fifteen hundred pounds, of which he did not receive a farthing in return for nearly twenty years. But, perhaps, there never was a man so little attentive to the accumulation of property, and yet at his death it was much greater than he himself was aware of. His only guide was his banker's books, and after defraying the expenses of his chambers and his houses at Reigate and Rathbone-place, and the generally heavy article of printing and paper for himself and others, the surplus of his revenue was invested in the three per cents, without regard to price, and he thought nothing more of the matter.

His manner of life was uniform; a great part of the year was spent in chambers, dining in the Temple-hall in term time, and at his house in Rathbone-place out of term, and the remainder of the year he passed at Reigate, where he spent a good deal of his time, and generally had a friend or two with him. Three or four years ago, he vested money in the three per cents, in the names of the incumbents of four parishes adjoining Reigate, in trust to pay half a guinea to the clergyman who should preach an afternoon sermon on Sundays, and if there was not a sermon, the half guinea for that day was to be applied by the trustees to the benefit of the poor of their own parishes. His great delight was to have three or four friends with him, where every subject of science, literature, and common topics of the day, was treated of with the utmost freedom of discussion. When his faculties were in full vigour, his conversation was replete with anecdote and information. No one was better acquainted with the history of his country, from the invasion of Julius Cæsar to the present time.

In his profession of the law, the



Baron did not make a great figure, and he used to relate with great good humour, his want of success in the western circuit : but government was sensible of his services as Attorney-General in Canada—an office which he filled with great dignity, and in a manner highly beneficial to that province. They were rewarded by an appointment to the office of Cursitor Baron, more honorary than profitable, but as it made no great inroads on his time, and is occupied chiefly in a routine of technical details, he was more at leisure to pursue his favourite studies. Few, however, possessed in so high a degree a knowledge of the laws of England, considered as a science ; and in questions of great moment, the members of both Houses have frequently availed themselves of his judgment and superior information.

The mathematical principles of Sir Isaac Newton were not to his taste, and he thought them very improper for academical studies. The positions of this great author, that quantities are, some greater, and others less than nothing, and the ultimate equality of quantities, which in no one period of existence are equal, appeared to him the acme of absurdity. To these he attributed the wildness that now prevails in what may be called the French school, which aims at generalizations, and, however advantageous it may sometimes be to the mere artisan, is very unfit to lead the mind to true science and philosophy. Huygens and Galileo were, in his opinion, better models for imitation, the one for purity of demonstration, the other for explaining philosophical subjects in a popular manner.

The classical studies of his early years continued to delight him to the latest period of his intellectual career, and he might be said to know Homer by heart. Next to him, Lucan was

his favourite author, and Horace was, of course, at his finger ends. Among the moderns, Milton had the highest place ; and from the three poets, Homer, Lucan, and Milton, he, to a very late period, repeated long passages occasionally, with the utmost propriety and emphasis.

#### WILSON LOWRY, ESQ.

*June 24th.*—In Titchfield-street, of a lingering disease, Wilson Lowry, Esq. F.R.S. and M.G.S. ; an engraver so excellent in the department he pursued, that the mechanical perfection to which he has carried the art has excited general admiration.

He was an apprentice of Mr John Brown, the respectable engraver of landscape ; and Mr Lowry himself first began as a landscape engraver, though few of his plates in that department of art bear his own name, having been executed for other artists, whose fame they have contributed to exalt. He engraved most of the plates on mechanical subjects in Rees's Encyclopedia, Crabbé's "Technological Dictionary," "the Philosophical Magazine," &c. His mathematical knowledge of drawing, his deep researches into the laws of mechanics, his extensive acquaintance with physics, and the general properties of matter and form, combined with the correctness of an eye that never erred, and a hand that could not deviate, highly qualified him for such works. Some of the finest specimens of Mr Lowry's abilities as an architectural engraver, are to be found in the fine plates of Murphy's *Batalha*, Nicholson's *Architecture*, the print of the House of Commons at Dublin, after Mr Gandon's design, &c.

Mr Lowry's manners were unobtrusive, modest, and engaging ; and the readiness with which he imparted to others, from his vast stores of know-

ledge, and the happy facility with which he communicated his instructions, will long be remembered by numbers who experienced his kindness.

Not content with the uncertain and imperfect modes of execution then existing, Mr Lowry bent all the powers of his vigorous and well-informed mind to the invention of such mechanical means as might insure evenness of texture, and clearness and precision of line upon copper, especially in the representation of architectural subjects, machinery, apparatus, &c. In this desirable object he completely succeeded, and the extraordinary merit of his inventions has long been universally acknowledged.

About the years 1790 or 1791, Mr Lowry completed, principally with his own hands, and of wood, his first ruling machine, possessing the property of ruling successive lines, either equidistant, or in just gradation from the greatest required width to the nearest possible approximation. In 1798, he invented the diamond points for etching, the durability of which, as compared with steel points, and the equality of tone thereby produced, have rendered them highly important to the art of engraving. In 1799, he improved upon his ruling machine, and constructed a new one, capable of drawing lines to a point, as well as parallel lines, and of forming concentric circles. In 1800, he invented a simple instrument for describing parts of circles, of which the radius is so large as to preclude the use of even beam compasses. In 1801, he invented a machine for drawing ellipses on paper or copper. In 1806, he invented a machine for making perspective drawings; and so great was its accuracy, that, after having finished with its aid an elaborate drawing of the west front of Peterborough Cathedral, on taking the actual measures of

the building, they were found to agree exactly with all the parts of the drawing. Besides these important inventions, Mr Lowry constructed an instrument to place over a vanishing point, to which lines were to be drawn on copper; a variety of compasses, with micrometer screws; movable points for the insertion of diamonds, &c.; and not very long before his death, he completed two new ruling machines, of singular simplicity and accuracy. Mr Lowry was also the first person who bit steel in well; and Mr Heath purchased from him the secret.

For nearly twenty years, Rees's Cyclopædia occupied the greater part, but not the whole, of Mr Lowry's time. Among other works in which he was employed, were several of the plates in Wilkins's *Magna Græcia*; almost all the plates in Wilkins's *Vitruvius*; and some of those which adorn Nicholson's *Architectural Dictionary*. About the month of June, 1820, the last plates of the Cyclopædia were finished. It was scarcely possible that such an artist as Mr Lowry could be long without employment; and, accordingly, he was soon engaged to engrave the plates for Crabbe's *Technological Dictionary*. Towards the latter end of 1821, Messrs Mawman and Rivington secured his valuable services for the *Encyclopædia Metropolitana*; and in this work he was chiefly employed until his last illness deprived the world of art of one of its brightest ornaments.

Whoever might be called upon to pronounce a judgment on Mr Lowry's engravings, would find it difficult to decide, whether in the extreme accuracy of the drawing, or in the extraordinary beauty of the mechanical execution, lay their chief merit. It may, perhaps, be said, that the correctness of the drawing is owing to the draftsman, and not to the engra-

ver. This is true, to a certain extent, in all other cases; but it is not true in the case before us. Very few drawings were brought to Mr Lowry, in which his piercing eye, or rather his penetrating judgment, could not discover some error; and, as we have already observed, he exercised the right of supplying whatever deficiencies he observed. Besides, many of his plates were drawn, as well as engraved, by himself; although he did not always affix his name as the delineator. All those plates in Rees's Cyclopædia which are without the name of any draftsman, were drawn either by Mr Lowry or by his daughters. His engravings in Leslie's Treatise on Light and Heat, which are among his most finished specimens, were also drawn by him; but he was afraid of appearing too ambitious of reputation, and was content to inscribe his name as the engraver only. His knowledge of perspective and of shadowing was so profound, that he could engrave a finished plate from a mere outline. Nay, he could do more. In Rees's Cyclopædia there is a print of an electrical machine, which was engraved without having been previously drawn, except upon the copper. Mr Lowry was pressed for time; he placed the machine before him, and engraved it at sight, if we may be allowed the expression.

It is indispensable, however, that we should say something of Mr Lowry's general attainments. It is to be regretted, that posterity will know little more of him than that he was an inimitable engraver. A few good judges will perceive from his works that he must have had considerable mathematical knowledge; but they will form no adequate idea of the extent and variety of his other acquirements. The first philosophers of the age, with most of whom he was more or

less intimate, can attest, that he held a distinguished rank amongst them. He was an excellent anatomist; he was an able chemist; he was familiar with the principles of medicine; he was a skilful engineer; in mineralogy and geology he was deeply learned; and his scientifically arranged cabinet is surpassed by few private collections in London. Indeed, his opinion was constantly sought by professors of mineralogy, and the trade often availed themselves of his knowledge, and were guided by his advice, in the purchase of the rarest and most valuable gems. It was in consequence of his great and varied information, that, in the year 1812, Mr Lowry was elected a Fellow of the Royal Society; of the Geological Society he was a member from the time of its establishment. In both those societies he was beloved and respected, and was frequently consulted on occasions interesting to the progress of science. With the late Sir Joseph Banks, and Sir Henry Englefield, and with the present Dr Woolaston, Mr Lee, Mr Greenough, and other of the most learned members of those institutions respectively, he was extremely intimate. From Sir Joseph Banks, in particular, Mr Lowry and his son, (Sir Joseph's namesake,) always experienced the greatest kindness and friendship; nor was any man better known by the members of his own profession, to whom he was ever communicative on the subject of their common pursuit. Indeed, no artist could be more free from low-minded jealousy. Whatever feelings of rivalry, or hopes of professional superiority, at any time occupied his mind, were of the most honourable nature, and were tempered by a candid appreciation of the qualifications of other engravers, deceased and contemporaneous.

Mr Lowry has left a family equally distinguished for their attainments. His widow possesses high mathematical acquirements, and a superior knowledge of many branches of natural philosophy.

His son pursues the steps of his father, as if determined "non impar esse parenti." His daughter has also displayed her portion of family talent, in that species of engraving with which the name is so much identified.

#### MR JOHN FORBES.

*Lately*, Mr John Forbes. Botanical science has sustained a severe loss in the death of this intelligent and enterprising young man. He was sent out by the Horticultural Society of London, under the sanction of the Lords of the Admiralty, with the squadron commanded by Captain William Owen; the object of which was to make a complete survey of the whole eastern coast of Africa. Such an expedition afforded too favourable an opportunity to be omitted by the Horticultural Society to send out an intelligent collector, and Mr Forbes, whose zeal as a botanist was known to the society, was fixed on as a proper person to accompany it.

The squadron sailed in February 1822, and touched at Lisbon, Teneriffe, Madeira, and Rio Janeiro, at each of which places Mr Forbes made collections in almost every branch of natural history; the whole of which were received by the society.

His extensive collections subsequently made at the Cape of Good Hope, Delagoa Bay, and Madagascar, were also received by the Society in high preservation, and by their magnitude and variety evinced the unremitting attention which he had paid to the objects of his mission. With the approbation of Captain Owen, and with a zeal highly creditable to

his own character, although not instructed by the Society, he engaged himself to form part of an expedition which was proceeding from the squadron up the Zambezi River, on the eastern coast of Africa. It was intended to go about eight hundred miles up the river in canoes, and the party was then to strike off southwards to the Cape. It was in this progress up the Zambezi that Mr Forbes died, in the 25th year of his age. He received his botanical education under Mr Shepherd, of the Botanic Garden at Liverpool, and had, by close application, acquired so much information in many other branches of natural science, as to justify the expectation that, had his life been spared, he would have stood high in the list of scientific travellers, and been eminently useful to the Society whose patronage he enjoyed.

#### MISS SOPHIA LEE.

Sophia Lee was born in London, May, 1750; her mother, (whose family were engaged in the wine trade,) though of Scotch parentage, was a native of Oporto. Her father, Mr Lee, was among the many young men of his day who had been allured to the stage by the character and celebrity of Garrick, and was said greatly to resemble him in features and voice. Being a man of considerable acquirements and of unblemished moral character, he was strictly attentive to the education of his children; the more so, as that care early devolved upon him by the loss of his wife. It was, however, most affectionately lightened by his eldest daughter, Sophia, who, after attending her mother through a lingering illness, undertook the arduous office of supplying her place to the younger branches of the family. She had begun, even at that period, however,

to indulge a secret passion for writing, which a trifling circumstance unexpectedly betrayed.

It happened that Dr Elliot, afterwards Sir John, who attended Mrs Lee, was not duly furnished with a sheet of paper on which to write his prescription. The young nurse hastily opened a small trunk in which all her hidden treasures were deposited, and its contents caught the eye of the doctor. "You seem to have a *very* voluminous work there, my dear," observed he, in his Scottish accent, and with a smile. She hesitated, returned some confused answer, and then ventured to add, in the overflowing of a heart grateful for his attention to her mother, "If I ever should write a book, doctor, I will dedicate it to you;" an engagement that was fulfilled many years after. "The Rectress" was inscribed to Sir John Elliot, in terms characteristic of the sensibility of the author, at a time when, far from expecting such a tribute, he must have totally forgotten the promise,—a promise probably, indeed, never remembered. The compliment was acknowledged by him, however, in a very flattering letter.

The work which had thus attracted observation, although her first essay in writing, was among the latest of her publications. Its original title was "Cecilia," a name to which she was very partial, and afterwards brought forward in "The Chapter of Accidents;" but, as it had since that time been distinguished by the pen of Miss Burney, Miss Lee, contrary to the simplicity of her first intention, called her own novel "The Life of a Lover."

This work, with much of the alloy which belongs to youth and inexperience, is, nevertheless, remarkable for richness of mind, and happiness of expression. It contains also many acute observations upon life and character, such as would excite wonder,

when the age and circumstances of the writer are considered, did we not daily see that there is an instinctive penetration in genius that foreruns experience, and seems almost to supply its place.

This "voluminous production," which Sir John Elliot had noticed, and such by degrees it really became, (as she often retouched it,) was not the only one that employed the fancy of the author. The comedy of "The Chapter of Accidents" was not long after sketched out, in the midst of narrow circumstances, domestic cares, and even some little discouragement; for Mr Lee, whose first wish was that his daughters should prove rational and useful members of society, was not without his fears of literary pretension, unsupported by real talent; and had also a secret persuasion, that if talent really existed, it would force its way without the hot-bed of paternal partiality.

In the summer of 1780, Miss Lee at length ventured to appear as an author. The comedy of "The Chapter of Accidents," which had been accepted by the elder Mr Colman, with a warmth of approbation the more flattering as it came from a man of approved dramatic genius, was produced at the Haymarket Theatre. It was highly applauded, admirably performed, and placed the writer at once among the most successful candidates for public favour. This success Mr Lee just lived to witness. In February 1781, he died of an inflammatory complaint, after an illness of ten days only; an affliction quite unexpected by his family, as he was not much advanced in life, and had an excellent constitution. The prudence of his eldest daughter had, however, only a few months before, provided her sisters an asylum, by devoting the profits of "The Chapter of Accidents" towards an establishment at

Bath for educating young ladies ; and that prudence was rewarded by rapid and permanent success. The pen, therefore, became unavoidably only an employment for her leisure hours, but it continued to be her greatest pleasure.

Miss Lee had always a very retentive memory, particularly for whatever touched her imagination or her feelings. While a mere child, she happened to have visited Winchester ; the monastic institutions and historical interest attached to that spot, and its vicinity to St Cross, although very imperfectly known to, or understood by her, retained a place in her recollection many years after. Brooding over that, and accidentally perusing Hurd's Dialogues, she imagined to herself the possibility of framing a story that might blend historical characters with fictitious events, and both with picturesque scenery. The brilliant court of Elizabeth struck her to be the suitable era for such a fiction, and the events of " The Recess, or a Tale of Other Times," gradually developed themselves.

The success of this work far surpassed her expectation ; its interest was increased by her publishing only the first volume, in order to feel her ground. Popular applause, and urgent inquiries even from individuals wholly strangers to her, encouraged her to produce the remainder. Among the testimonies of approbation, none touched her so sensibly as a letter from the admired author of " Anticipation," the late Mr Tickell ; for his was the voice of taste and judgment, sanctioned by that circle in London most distinguished for both. After warmly expressing his own sentiments, he adds, " I have the greatest pleasure in acquainting you that every person admires this beautiful work with more concurrence of opinion than I almost ever remember on

any literary subject. Mr and Mrs Sheridan have particularly commissioned me to bear witness to the delight which they have felt in reading ' The Recess.' The new interest which this species of historical romance creates in favour of characters we all have heard of so often, yet never before so intimately regarded, gives the most useful embellishment to fact, and supports memory by the charm of imagination." This letter was the basis of a lasting and cordial friendship between the parties.

Miss Lee received also an epistle from the translator at Paris, with a French copy of the work, under the title of " Le Souterrain," mutilated, however, as he himself avowed, in those passages that touched upon the Catholic religion, and, of course, somewhat disfigured. Among many scenes pointed out by the French translator as greatly admired by his countrymen, were the midnight appearance of Ellinor in the closet of the queen, and that of the banqueting-room at Kenilworth, where Elizabeth is feasted. A more solid compliment than either of the above, though one not more acceptable, was offered by Mr Cadell ; who, in addition to the sum paid for the copyright, (the value of which had been fixed by herself,) remitted her a bank-note of fifty pounds.

Miss Lee still continued, at intervals, to use her pen, and published a Ballad, called " The Hermit's Tale." The Tragedy of " Almeyda, Queen of Grenada," in which Mrs Siddons displayed her exquisite talents—and " The Life of a Lover," a novel, in six volumes ; the earliest production of her girlish pen, and not thought to be the happiest, though marked by the vigour and fertility of mind which characterised all she wrote ; and lastly, in conjunction with her sister Harriet, the Canterbury Tales, of which

the Young Lady's Tale, and the Clergyman's, alone were hers. Though harmonizing in mind, the two sisters were very unlike in style, nor did either ever introduce a single page into the writings of the other. Miss Lee was also the author of a Comedy called "Assignation," acted at Drury-Lane Theatre, in 1807; but from some unfortunate personal applications, wholly unforeseen by the writer, it was condemned on the first night, and not published. No work of hers ever appeared anonymously; but, as has happened with other writers of the day, her name was prefixed to a novel she never saw, and which was too contemptible to allow of her giving it notoriety, by entering either a literary or legal protest against it. Miss Lee's view of life was not disappointed: an easy competence—the unqualified esteem of all to whom she was personally known, the affection of her family, and the respect of the public, softened her last hours, and will long render her memory esteemed. ●

REV. THOMAS RENNELL, B. D. F. R. S.\*

The much-lamented subject of this brief memoir was born at Winchester, in 1787, of a family remarkable, in more than one generation, for talent and virtue. His paternal grandfather was the Rev. Thomas Rennel, M. A. Prebendary of Winchester, a man distinguished by his learning and piety. His grandfather, on the mother's side, was the celebrated Sir William Blackstone. His father, whose bitter portion it is to be the survivor of so excellent a son as few fathers are blessed with, is the present venerable and eminent Dean of Winchester, and Master of the Temple. Under the care of such a parent, and of

a mother (also his sad survivor) every way worthy of her father and her husband, the great natural talents of their eldest son had no ordinary advantages of direction and encouragement. When, therefore, following his father's steps, he was sent at an early age to Eton, and placed upon the foundation there, he immediately assumed that high place among his contemporaries, which he ever afterwards maintained. The memory of his name and honours is still fresh in that famous and flourishing nursery of learning: and many are they who can well remember what vigour of conception and rapidity of execution even then marked his efforts; and how often his exercises were selected from the rest for the first rewards and distinctions of the school. That remembrance, indeed, is now embittered with pain and regret; but yet there is a pride in having been the school-fellow and competitor of Rennell, which they who have a claim to it, will cherish till the generation which has been so soon deprived of his society and services, shall have passed away. —When he was high in the school, though there were yet many in it his seniors, two prizes were proposed by Dr Claudius Buchanan to Eton, among other places of education, for the best compositions in Greek and Latin verse, on subjects relating to our possessions and prospects in the east. On this occasion the Greek prize was adjudged to Rennell, for a Sapphic Ode on the Propagation of the Gospel in India, which left the performances of his rivals far behind; and which, even in the field of academic competition, might have been not less successful.

It ought not perhaps to be here omitted, that while the subject of this

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\* This Memoir is from the pen of the Rev. John Lonsdale, domestic chaplain to the Archbishop of Canterbury; and is abridged from the "Christian Remembrancer."

sketch was at Eton, a periodical work, entitled "The Miniature," (having the "Microcosm" for its prototype,) was conducted by him and three of his contemporaries. Of this publication, which went through two editions, it is enough to say, that, considered as the production of boys, which it exclusively was, it is a striking evidence of early genius and acquirements; and that the papers in particular, which the letter affixed to them marks as Rennell's, exhibit a strength of intellect, and an elevation of thought, far beyond his years. It was indeed the manliness of his understanding and taste by which, at this period of his life, he was chiefly characterized. In this respect it may be said of him, that he was never a boy. His views and notions, whether intellectual or moral, were not boyish; the authors who were his chosen favourites and models, were not those whom boys in general most admire and imitate: everything, in short, indicated that early ripeness which too often, as in his case, is found to be the forerunner, and as it were the compensation, of early decay. Nor was he less exemplary in conduct than eminent for talents and proficiency in learning. Deeply impressed from his very childhood with sentiments of genuine and practical piety, he was habitually virtuous upon religious principles, and exhibited in his life lucid proof that power of mind finds its best ally in purity of heart, and that genius and licentiousness have no natural union with each other.

In 1806, Mr Rennell was removed, in the regular course of succession, from Eton, to King's College, Cambridge; and here the excellent gifts and qualities which had already more than begun to open themselves, found ampler space for expansion and luxuriance. He brought with him indeed from school the somewhat questionable advantage of a very high repu-

tation: but his course in the University only proved how well he had earned his title to it.

In 1808, Sir William Browne's annual medal for the best Greek ode was adjudged to Mr Rennell's beautiful composition on '*Veris Comites*.' During the period of his residence at Cambridge, and occasionally afterwards, he was also a contributor to the "Museum Criticum," published at irregular intervals by some eminent scholars of the University. He was, in a word, unceasingly active, always engaged in honourable and useful pursuits. But all his studies had a tendency to that sacred profession for which he ever entertained a strong predilection, and to which, from a well-grounded conviction of his fitness for it, he had long determined to devote himself.

Accordingly, soon after taking his Bachelor of Arts degree, he entered into holy orders, under a deep sense of the heavy responsibility which he was incurring; and firmly resolved, by the divine grace, to do the full work of an Evangelist, and give up his time and talents unreservedly to the ministry—a resolution which God enabled him strictly to fulfil. He was then immediately appointed by his father to the office of assistant preacher at the Temple, for which he was singularly qualified, and in which he acquitted himself in a manner altogether equal to the expectations which had been formed of him, and worthy of the eloquence which his father had for a long series of years displayed in the same place. Nor was it long before an opportunity was afforded him of manifesting, in another way, his professional zeal and ability. A bold attempt to wrest scripture to their purpose was made by those the tendency of whose creed is to divest the Gospel of Christ of its most distinguishing and vital doctrines, and reduce it to a '*corpus sine pectore*,' in



the publication of 'An Improved Version of the New Testament,' accompanied with an introduction and notes. The principles of its authors are thus summed up by Mr Rennell, in the preface to his "Animadversions." "No Redeemer nor Intercessor, no Incarnation nor Atonement, no sanctifying nor comforting Spirit, is to be found in their creed; both heaven and hell, angels and devils, are equally banished from their consideration." But of this new attack upon "the faith once delivered to the saints," he was not content to be an inactive witness. In 1811, under the modest title of "A Student in Divinity," he put forth "Animadversions on the Unitarian Translation or Improved Version of the New Testament." In this acute and learned tract he exposed in a concise, but remarkably clear and satisfactory manner, the principal of those "unwarrantable interpretations, artful sophisms, and palpable contradictions," with which both text and comment of the improving translators abounded. Had the even then respectable name of Mr Rennell been prefixed to this publication, it would probably have had a more extensive circulation. But the author was not concealed from those who took a particular interest in such matters; and their attention and hopes were in consequence earnestly directed to one, who, in such early youth, had shown himself so able a champion for "the truth as it is in Jesus."—About this time, too, he undertook the important and laborious charge of the editorship of the "British Critic," a work which has long stood forward in support of religion and virtue; and presented a steady and successful resistance to infidelity on the one hand, and fanaticism on the other. He was himself also a frequent contributor to its pages. Thus was he at once, both in the pul-

pit and by his pen, actively engaged in promoting the glory of God, and the well-being of his fellow-creatures.

It was not likely that merit thus pre-eminent would escape the notice of so vigilant a guardian of religion, and so conscientious a patron of those who distinguished themselves in its support, as the then and present bishop of London. Accordingly, in 1816, he called Mr Rennell from the Temple to a station of no ordinary consequence, the Vicarage of Kensington. Hitherto his public ministry had been confined to the preacher's office: the care of a populous and important parish was now added; and high as was the reputation which in the former capacity he had acquired, it was yet to receive a great accession from the exemplary diligence and powerful effect with which he discharged the arduous and manifold duties that now devolved upon him. It must suffice, however, at present to say, that in this discharge he was unwearied and unremitting; till it pleased that Providence which gives and takes away for reasons equally wise, to deny to his flock the longer continuance of services, which, both temporally and spiritually, were indeed a blessing.

In the same year Mr Rennell was elected Christian Advocate in the University of Cambridge, a choice for which the world owes a debt of gratitude to those who made it, since it gave occasion to two of his most valuable productions; which, however, are too well known, to require that a particular account should be given of them here. The first was entitled "Remarks on Scepticism, especially as it is connected with the Subjects of Organization and Life; being an answer to the Views of M. Bichat, Sir T. C. Morgan, and Mr Lawrence, upon those points." To the studies of anatomy and medicine Mr Ren-

nell had always been attached. He never indeed suffered them to interfere with matters which more properly belonged to him; but he delighted to turn to them at intervals as sources of rational amusement and useful knowledge, and, above all, as auxiliaries to piety; and had attended a regular course of anatomical lectures, under an eminent surgeon of the metropolis. When, therefore, he saw in the schools both of Paris and London, medical science made the handmaid of irreligion, and observed, in particular, "a considerable advance of sceptical principle upon the subjects of organization and life," the doctrine of materialism paving the way for infidelity and atheism, he thought that he could not better discharge the duty which from "the office he held in the University," he owed to it and the world, than "to call the attention of the public to the mischievous tendency of such opinions."—"To detect, therefore, the fallacies, and expose the misrepresentations," by which, "both at home and abroad, those opinions were advocated, and to reconcile the views of the philosopher and the Christian," was the design of his remarks. Of all his works this is the most masterly, and the most popular. It is a work "which (as Johnson said of Burnet's account of the conversion of Rochester) the critic ought to read for its elegance, the philosopher for its arguments, and the saint for its piety." It foils the sceptic at his own weapons, and makes him feel that reason and philosophy are not for him, but against him, in the great question of natural and revealed religion.

Nor was its success disproportionate to its merit. First published in 1819, it is now passing through its sixth edition; and by it, its author, though "dead, yet speaketh." "It may be hoped, indeed (to adopt his

own eulogy of another,) that his voice will yet be heard in those quarters where libertine principles, infidel opinions, and vicious practices, prevail; and that this voice may awaken, convince, and save. It is thus that, even in his grave, the servant of the gospel is daily increasing his account for good in the Book of God."

A remarkable proof of the impression which this publication produced, was afforded by the fact that an attempt was made by certain persons, whose principles were exposed in it, to exclude Mr Rennell from the Royal Society, for admission into which he was about that time proposed. This attempt, however, as might have been expected, only served to show the impotent hostility of its authors, and more fully to set off the triumphs of religion.

The other work which Mr Rennell sent forth into the world, in his capacity of Christian Advocate, was entitled "Proofs of Inspiration, or the Grounds of Distinction between the New Testament, and the Apocryphal Volume: occasioned by the recent publication of the Apocryphal New Testament of Hone." In this work, the first edition of which appeared in 1822, he has exposed and repelled, in a very luminous and decisive manner, the insidious attack made upon the authority of the New Testament itself, through the medium of the unauthorized contents of the Apocryphal volume. He has clearly pointed out the broad line of everlasting distinction between the two volumes, proving, both from external and internal evidence, the inspiration of the one, and the want of all just pretensions to it in the other. He has thus provided a very valuable manual for the use of those who may have need of compendious, yet satisfactory information, as to the grounds on which the Canon of the New Testament was

framed; and furnished a simple yet sure test for the separation of the human "reveries and impostures" of the earlier ages of Christianity from the genuine productions of divine truth.

But the course of this admirable man was now fast drawing to its close, and that too at a time when the full blaze of prosperity had just opened upon it. In the autumn of 1823, he was united by marriage to a very amiable and excellent lady, the eldest daughter of the late John Delafield, Esq. of Kensington. Not many weeks after his marriage, Mr Rennell was attacked by a fever, from which he was for some time in imminent danger. Nothing could exceed the earnest and affectionate solicitude which on this occasion was manifested by persons of all ranks, particularly by his parishioners, whose attachment had so lately displayed itself, in a very different manner, by a public entertainment given in honour of his happy marriage. From the immediate attack of the disease he recovered; but the utmost efforts of his medical attendants, who joined the most zealous assiduity of friendship to the highest professional skill, were unavailing to counteract the fatal effects which were left behind. He fell into a confirmed and hopeless atrophy; and having vainly tried the effects of sea air, had retired into the bosom of his family at Winchester, where at length he expired in peace, on the last day of June, 1824. "The close of his life (they are the words of a suffering witness, who, it is hoped, will pardon their introduction here) was in perfect unison with the whole preceding tenor of it; and his pious serenity, resignation, and benevolence, in his last moments, were never surpassed. In the extremity of bodily weakness and exhaustion, he said, 'I am supported by Christ.' And so he departed 'to be with Christ:' to have

his portion with the 'good and faithful servants' of the Lord; to 'shine' with the wise, 'as the brightness of the firmament, and with them that have turned many to righteousness, as the stars for ever and ever.'"

He was buried, with the greatest privacy, in Winchester Cathedral, a place to which from his earliest years he was singularly attached; a few only of his nearest relations and most intimate friends attending his remains to the grave. The shops were shut in Kensington on the day of his funeral; on the preceding evening a meeting of the inhabitants was held, at which it was resolved to erect a monument, in memory of his worth, and of their sense of the loss which they had sustained; and mourning was put on by the principal parishioners.

His piety was sincere, fervent, and rational; equally removed from lukewarmness on the one hand, and enthusiasm on the other. No man had a deeper or more awful sense of the vital truths of the gospel; no man relied with humbler confidence upon the merits of his Redeemer, or more earnestly sought direction, and strength, and comfort, from the spirit of wisdom and holiness. No man, at the same time, saw more keenly through the delusions of fanaticism, or could better distinguish between genuine and counterfeit religion.

To the Church of England he was most zealously and steadily attached; because he believed it to be the Church of God; and the most effectual instrument, under Providence, of maintaining and extending Christ's kingdom upon earth. But though he would sometimes express himself in strong general terms of its adversaries, he was ever ready to show to them individually the most conciliatory kindness; and to make the largest allowance for what he would willingly

regard as involuntary error. Fixed in his own faith, he knew not how to limit his charity for the wanderings of others.

In the pulpit he was earnest, eloquent, and persuasive. He managed a voice naturally weak and defective, so as to make it heard where many stronger ones would have failed. To vigour of thought, he joined a copiousness and force of language, a felicity of illustration, an impressiveness of manner, and a power of applying his subject to the conscience, which at once won the attention and touched the heart. Though he would by no means keep back "the terrors of the Lord," where it was necessary to set them forth, it was by motives of love, rather than of fear, that he delighted to win men over to the gospel of peace.

#### CAPEL LOFFT, Esq.

*May 26.* At Montcallier, near Turin, Capel Lofft, Esq. an admired poet, and the friend of Bloomfield; a barrister-at-law, a warm politician in the whig school, a distinguished writer in the law department, as well as in defence of liberty; an earnest black-letter enthusiast in literature, and in private life an amiable man.

He was born at Bury St Edmund's in 1751. He received his christian name from his uncle Capel, the commentator on Shakespeare, and had his education at Eton, whence he went to Peterhouse, Cambridge; after which he studied the law, and in due course became a barrister. His first production, the "Praise of Poetry," a poem, 1775, 12mo, attracted but little attention. In 1778 he published "Observations upon Mrs Macaulay's History of England," written in a spirit of zeal for the honour of that lady. His "Translation of the first, and second Georgics of Virgil," pub-

lished in 8vo, 1784, was executed upon the model of Dr Trapp, and was a most daring attempt upon Virgil, in which Mr Lofft succeeded.

In 1797, upon the appearance of the comet, Mr Lofft played off the artillery of his philosophy upon the public with considerable glitter in the daily prints. He resided at Troston Hall, Suffolk, and was an active magistrate for that county.

Among the earliest recollections of him, is his first appearance at the county meeting, held at Stowmarket, during the last twenty-five years of the late King's reign. His figure was small, upright, and boyish, his dress—without fit, fashion, or neatness; his speaking—small-voiced, long sentenced, and involved; his manner—persevering, but without command. On these occasions, Mr Lofft invariably opposed the tory measures which those meetings were intended to sanction; and he was assailed, as invariably, by the rude hootings and hissings of the gentry and the rabble. Undismayed, however, by rebuff, he would fearlessly continue to advocate the cause of freedom. Mr Lofft's conversational powers were of a high order; his richly-stored mind would throw out its treasures when surrounded by his friends, and few, if any, ever left him without improvement, or shared his converse without pleasure.

Besides his publications enumerated above, he published the following:

"View of the several Schemes respecting America," 1775, 8vo.—"Dialogue on the Principles of the Constitution," 1776, 8vo.—"Reports of Cases in the Court of King's Bench, from Easter Term, 12 Geo. III. to Mich. Term, 14 Geo. III. inclusive," 1776, fol.—"Observations on Wesley's second Calm Address, and incidentally on other writings upon the American Question," 1777, 8vo.—"Principia

cum juris universalis tum præcique Anglicani." 1779, 2 vols. 12mo.—  
 "Elements of Universal Law, being a translation of the first volume of the Principia," 1779, 12mo.—  
 "An Argument on the nature of Party and Faction," 1780, 8vo.—  
 "Eudokia, or a poem on the Universe," 1781, 8vo.—  
 "Observations on a Dialogue on the actual State of Parliament," 1783, 8vo.—  
 "Inquiry into the legality and expediency of increasing the Royal Navy by Subscriptions for Building County Ships," 1783, 8vo.—  
 "Essay on the Law of Libels," 1785, 8vo.—  
 "Three Letters on the Question of the Regency," 1789, 8vo.—  
 "Observations on the first part of Dr Knowles's Testimonies of the Divinity of Christ, from the first four centuries," 1789, 8vo.—  
 "History of the Corporation and Test Acts," 1790, 8vo.—  
 "Remarks on the Letter of Edmund Burke, concerning the Revolution in France, and on the Proceedings of certain Societies in London relative to that event," 1790, 8vo.—  
 "Essay on the Effect of a Dissolution of Parliament on an Impeachment by the House of Commons, for High Crimes and Misdemeanours," 1791, 8vo.—  
 "Remarks on the Letter of Mr Burke to a Member of the National Assembly, with several Papers in addition to the Remarks on the Reflections of Mr Burke on the Revolution in France," 1791, 8vo.—  
 "The first and second books of Milton's Paradise Lost, with Notes," 1792, 4to.—  
 "The Law of Evidence, by Chief Baron Gilbert, considerably enlarged to which is prefixed some account of the Author, his abstract of Locke's Essay, and his Argument on a Case of Homicide in Ireland," 1791, 1796, 2 vols. 8vo; the copy of which, furnished by him, was abruptly discontinued in the middle of the last volume, and the work was concluded by another hand.—  
 "On the revival of the

cause of reform in the Representation of the Commons in Parliament," 1810, 2d edit. 8vo.—  
 "Aphorisms from Shakspeare," 1812, 18mo.—  
 "Laura-na, or an Anthology of Sonnets and Elegaic Quatorzains, original and translated," 1812, 5 vols. 8vo. &c.—  
 Mr Lofft has also written numerous articles in the Gentleman's Magazine, Monthly Magazine, Tillock's Philosophical Magazine, Young's Annals of Agriculture, &c.

Mr Lofft was liberal and consistent in his politics; and most generous in his strictures, and benevolent in his conduct towards men of genius and letters. If his feelings erred, the failing was always on the side of charity. Few have distinguished themselves for such a length of time in so many various branches of intellectual occupation. Mathematics, classics, law, poetry, music, criticism, all by turns employed his pen, from early youth to his latest hour. The great painter's advice was strictly followed by him: "No day without a line." As a lawyer, he was indefatigable, until he in a great measure abandoned that rugged road, to devote himself to the Muses' "primrose path," at Troston. He was a sound scholar; and to the office of critic he brought great judgment, excellent taste, and a mind stored with an amazing mass and variety of knowledge. As a poet, particularly in the sonnet, he was an enthusiast, and, perhaps too fastidious and refined, though certainly not without genius, and considerable powers of versification. His acquaintance with men of talents and learning was very extensive. Sir Philip Francis held him in great esteem, and was in correspondence with him to the latest period of Sir Philip's life. Unwearied in his own literary pursuits, Mr Lofft was not less so in assisting and fostering those of others. Many eminent scholars of the present day have derived consider-

able benefit from his hints and suggestions.

RICHARD PAYNE KNIGHT, ESQ.

In his youth, Mr Knight's constitution was so peculiarly delicate and feeble, that few hopes were entertained of his ever reaching the years of manhood. His father, accordingly, would not suffer him to be sent to any school, nor would he allow him to enter on the study of the classical languages. Before Mr Knight attained his 14th year, however, his father died, and he was sent to school the following year, where he made a most rapid progress, and became a perfect master of Latin; but during the first four years devoted very little of his attention to Greek. Part of this time he spent in travelling; but though he probably intended to make a more extensive tour, he remained chiefly in Italy. In his eighteenth year he sat down seriously to the study of the Greek language, with which, in a few years, he became profoundly acquainted. He did not make study, however, the business of his life, but devoted his principal attention to the management of his estate, and his extensive plantations and improvements at Downton Castle, which he rebuilt. He took great delight in hunting, and was a bold rider; but to all other kinds of field-sports he was totally indifferent.

Mr Knight was eminently skilled and generally consulted in every material point of *virtu* and taste in the metropolis; and erected a museum in Soho Square for his splendid collection of ancient bronzes, medals, pictures, and drawings. He was also a poet, and as such displayed vigour of mind, with ease, learning, and taste. He was a well-qualified and gratuitous contributor to the Edinburgh Review, his ample fortune placing him

above all considerations of pecuniary recompense. He was ready to afford information on all subjects of learning which were submitted to his judgment; and his observations were always marked by intelligence and acuteness. Mr Knight was anxious to cultivate the acquaintance of those, who, like himself, were distinguished by their knowledge and talents in the Fine Arts. Uvedale Price, Esq. the author of *Essays on the Picturesque*, &c. was his particular friend; he was also very intimate with the late Sir Joseph Banks and Mr John Kemble. Some literary communications which took place between Mr Knight and Mr Kemble on the state of dramatic performances, and the estimation in which actors were held in ancient Greece, (some of whom were ambassadors, and even legislators,) would, if published, be found well worthy of general attention, not only on account of the theatrical taste of the present period, but as meriting a place in the records of general literature. From his deep researches into the most abstruse and difficult subjects of Heathen Mythology, some persons, who were not sufficiently learned to understand the nature, application, and objects of those researches, have supposed that Mr Knight's moral and religious principles were feeble and unfixed; but whoever has read the preface to his last production, "*The Romance of Alfred*," must have discovered how very erroneous was that opinion. Mr Knight represented the borough of Ludlow in several successive parliaments. In politics he was a genuine whig, lamenting what he called "the wasteful profusion of the British governments," commencing with that of Mr Pitt; but he combined loyalty to the Sovereign with a strict regard to the rights and interests of the people. In his manners he was reserved,

but not repulsive ; warm in his friendships, and social in his disposition. He expired in the 76th year of his age, unmarried, and leaving to the British Museum, (or, in other words, to the British public,) his invaluable collections (of 50,000*l.* value), including a volume of drawings by the inimitable Claude, which alone cost Mr Knight 1600*l.*, and bequeathing his other large possessions to his brother, T. A. Knight, Esq. President of the London Horticultural Society, and to his nephew, T. A. Knight, Esq. jun. Thus honourably terminated the life of a gentleman, which, in his own language, "was spent alternately in the indulgences of polished society, and the contemplative tranquillity of studious retirement." Among his works were, *An Account of the Remains of the Worship of Priapus lately existing at Isernia in the Kingdom of Naples*; to which is added, a *Discourse on the Worship of Priapus, and its connexion with the Mystic Theology of the Ancients*, 4to, 1786.—*An Analytical Essay on the Greek Alphabet*, 4to, 1791.—*The Landscape, a didactic poem*, 8vo, 1794.—*Review of the Landscape*; also of an *Essay on the Picturesque, with practical remarks on Rural Ornament*, 8vo, 1795.—*The Progress of Civil Society, a didactic poem*, 4to, 1794.—*Analytical Inquiry into the Principles of Taste*, 8vo, 1805.—*Monody on the Death of the Right Hon. Charles James Fox*, 8vo, 1806.—*Prolegom.* in *Hom.*, a second edition of which has been published in the *Classical Journal*, with additions and alterations. Many other articles in the *Classical Journal*, *Edinburgh Review*, &c.

Mr Knight was occasionally treated with great severity by the critics and satirists. His "*Progress of Civil Society*" in particular, drew down on him the pointed ridicule of the *Anti-Jacobin*; in a popular parody of a

part of his poem. He has been charged also with a fondness for paradox; and exposed himself to much animadversion by not agreeing in the general opinion respecting the merit of the *Elgin Marbles*.

Mr Knight died at his house, in Soho-Square, on the 28th of April, in the 76th year of his age.

#### MR SHARP THE ENGRAVER.

William Sharp was born on the 29th of January, 1749. His father was a reputable gun-maker, of Haydon Yard in the Minories, who, observing early manifestations of a talent for drawing in his son William, and not being able to estimate (as indeed no father could estimate) the full extent of those talents, thought only of qualifying him for the performance of that species of engraving which is bestowed on fire-arms, and is technically termed *bright* engraving, because it solicits attention to itself, and not to the impressions that may be taken from it by filling its incisions with ink. Young William was accordingly apprenticed to Mr Longmate, who practised this species of engraving near the Royal Exchange; and, soon after the expiration of his engagement, our artist (having married a French-woman) commenced business for himself in Bartholomew Lane.

His first essay in engraving was made on a pewter pot. His friends would have qualified the assertion by substituting a silver tankard, but our artist loved truth, and insisted on the veracity of this humble commencement. About this time he became acquainted with John Kaye Sherwin, from whom he no doubt derived much information. At one period he had almost concluded an engagement with Sherwin, as an assistant, but a difference occurring, the negotiation was broken off. After a few years

of experience, as his powers developed, Sharp began to feel himself capable of higher works than dog's-collars, and door and card-plates, and one of his first essays in the superior branch of his art, was to travel all the way from Bartholomew Lane to the Tower of London, make a drawing of the old lion Hector, who had been an inmate of that fortress for about thirty years, engrave from it a small quarto plate, and expose the prints for sale in his window.

Mr Sharp left the busy civic haunts and the hum of Bartholomew Lane, somewhere about the year 1782, for the more salubrious neighbourhood of Vauxhall, where he began to engrave for the *Novelist's Magazine*; contributed a single plate to Southwell's folio Bible, and soon after felt firmly seated enough on this superior branch to which he had climbed, to undertake more important works. In fact, his mind had, by this time, been expanded by the contemplation of good pictures and prints, and he began to

— “ drink the spirit, breathed  
From dead men to their kind ;”

to look with due veneration at the great works of the old masters ; and, finally, to emulate and imitate them. But the removal to the country did not much amend the infirm health of Mrs Sharp, and he soon became a widower, but without children.

His admirable portrait of John Hunter, after Reynolds ; his not less admirable Doctors, or Fathers, (as it is sometimes termed,) of the primitive church discussing the doctrine of the immaculate conception, after Guido, the former one of the finest portrait, the latter one of the finest historical, engravings in the world, were both executed in the small house which he occupied near Vauxhall. Here was completed West's Landing of King

Charles the Second, which Woollet, at his demise, had left unfinished ; and here were performed several other works not mentioned by those who have hitherto treated of his biography ; among them two solemn dances by torch-light in the Friendly Islands, and some portraits of islanders of the Pacific Ocean, engraved for Captain Cook's last voyage ; and a most exquisite work of the oval form, after Benwell, an artist who died young, and of which the subject is the Children in the Wood. The public have not yet done justice either to the design or to the execution of this plate.

Whilst thus living and engraving at Lambeth, our artist became gradually and justly dissatisfied with the scanty remuneration which he received for his plates from the print-dealers, which kept him always poor, although his expenses were moderate ; and, his brother dying somewhat unexpectedly at Gibraltar, he became possessed of some property, and was enabled to set about, and to execute and publish for himself, some of those works from Salvator Rosa, Domenichino, and others of the old masters of high character, from the celebrated collection of the late Mr Udney, which, in contributing to the extension of their fame, has established his own. He now effected his removal from Lambeth, to a much greater house in Charles Street, near the Middlesex hospital, and indulged himself in new social connexions, and a somewhat more expensive mode of life.

The exact time when the serenity of his mind and the tenor of his studies began to be invaded by credulous notions concerning the animal magnetism of Mesmer, and the mysteries of Emanuel Swedenborg, has not been ascertained. The mental delusion under which he laboured was, probably, not the result of a moment : nor is it the dates of events of this kind,



but the facts themselves, that are interesting. Suffice it, then, to say, that these things happened nearly about the era of his removal to Charles Street; and the same accession of fortune which enabled him to undertake the publication of his own engravings, enabled him, also, to indulge in these aberrations, for so we must esteem them at the best; to patronize Bryan, the enthusiast, and the *prophet* Brothers; to dabble (for he did no more) in the politics of Thomas Paine and Horne Tooke, by becoming a member of the "Society for Constitutional Information;" and to cultivate various friendships, which had no inconsiderable influence on the future events of his life.

But, behold, Richard Brothers arose a prophet in Israel! The millenium was at hand! The Jews were to be gathered together, and were to re-occupy Jerusalem; and Sharp and Brothers were to march thither with their squadrons! Due preparations were accordingly made, and boundless expectations were entertained by our enthusiastic artist. Upon a friend remonstrating that none of these preparations appeared to be of a marine nature, and inquiring how the chosen colony were to cross the seas? our hero answered, "O, you'll see, there'll be an earthquake; and a miraculous transportation will take place." Nor can Sharp's faith or sincerity on this point be in the least distrusted; for he actually sat down and engraved *two* plates of the portrait of the *prophet*; having calculated that *one* would not print the great number of impressions that would be wanted when the important advent should arrive.

Brothers, however, had mentioned dates; and dates, although proofs of the prophet's sincerity and insanity, are, in other respects, very stubborn things. Yet, the failure of the ac-

complishment of this prophecy may have helped to recommend the pretensions of "The woman clothed with the sun!" who now arose, as might be thought somewhat *mal-apropos*, in the west. But miracles are superior to the laws of nature; the apostles were fishermen; and Jesus Christ himself honoured by his birth the house of a poor carpenter, in an obscure village. The low origin of Joanna Southcote could, therefore, form no objection to her divine credentials. The drowning hopes of the confused and favourite faith of a fanatic will catch at straws: the holy scriptures had said, "the sceptre shall not depart from Israel, nor a lawgiver from between his feet, until Shiloh come; and to him *shall the gathering of my people be.*" When Brothers was incarcerated in a mad-house at Islington, Joanna shone forth at Exeter; and when the day of dread that was to leave this fair metropolis in ruins, while it ushered forth Brothers and Sharp on their holy errand, passed calmly over, the explicators of divine truth, and seers of coming events, being driven to their shifts, began to look out for new ground, and, in short, to prevaricate most wofully. The days of prophecy, Sharp said, were sometimes weeks, or months; nay, according to one text, a thousand years were but as a single day, and one day as a thousand years. But he finally clung to the death-bed prediction of Jacob; *roundly* supported as it was by ocular demonstration of the swelling Shiloh; and it was altogether in vain that Sir William Drummond, or any other learned and rational man, explained, that Shiloh was, in reality, the ancient Asiatic name of a star in Scorpio; or that Joanna herself sold for a trifle, or gave away in her loving kindness, the impressions of a trumpety seal, which

at the great day were to constitute the discriminating mark between the righteous and the ungodly.

The pious Mrs Rowe, or her husband, has written, that,

“ The soul’s dark cottage, batter’d and beset,  
 Lets in new light through chinks that time  
 has made.”

But, battered and bewrayed as our artist’s faith in modern revelation might well be supposed to have become, no new light streamed in at the chinks. It was still the soul’s dark cottage, when the corpse of the prophetess lay in the neighbourhood of Manchester Square. When the surgeons were proceeding to an anatomical investigation of the physical and proximate causes of her death, and the mob was gathering without doors in anticipation of a riot or a miracle, Sharp continued to maintain, less in spite of the surgeon’s teeth than of his own nose, that she was not dead, but entranced. And also at a subsequent period, when he was sitting to Mr Haydon for his portrait, he predicted to that gentleman, that Joanna would re-appear in the month of July, 1822. “ But suppose she should not,” said Mr Haydon. “ I tell you she will, (retorted Sharp :) but if she should not, nothing will shake my faith in her divine mission.” And those who were near his person during his last illness, state that in this belief he died.

Mr Sharp’s professional fame was widely spread on the continent, and wherever else the rays of taste have extended. Foreign institutions of art so highly respected his merits, that he was elected a member of the Imperial Academy of Vienna, and of the Electoral Academy of Bavaria. Both these diplomas he received in the year 1814. It was his own fault that he was not an associate of the Royal

Academy of his own country. The fact was shortly this:—Sharp had solicited Sir Joshua Reynolds to be allowed to engrave his celebrated picture painted for the Empress of Russia, of the Infant Hercules strangling the serpent. This proposition was favourably entertained by the president, who, in conversation, offered to recommend Sharp as an associate engraver of the Royal Academy. But Sharp, full of the honour of his own profession, rejected the offer, warmly espousing the opinions of Sir Robert Strange, Woollet, Hall, and other eminent chalcographers, who considered their art slighted by their not being allowed to become royal academicians. This circumstance, in its turn, offended Sir Joshua Reynolds, who, on Sharp again waiting on him about engraving the picture of Hercules, gave him a cold reception, and informed him that the picture had been engaged by Mr Boydell.

He made two or three removals of his residence before he finally domiciliated at Chiswick; first, from Charles-Street, Middlesex Hospital, to a smaller house in Titchfield-street, where he engraved, or at least completed, his large plate after Copley, of the scene before Gibraltar, on the morning of the 27th of November, 1781, one of the proudest in the annals of war; when the Spanish floating batteries were destroyed, and British magnanimity shared with British valour in the honours of the victory. From Titchfield-street he removed to Acton, keeping an apartment, which he occasionally occupied, in London-street, Fitzroy-square; and from Acton he removed to Chiswick, where he had not resided long, before he was attacked by dropsy in the chest, which terminated his life at the age of seventy-four, on the morning of Sunday, the 25th of July. He lies buried in the church-yard of that

hamlet, with Hogarth, who was of similar origin; and with De Louthembourg, for whom, at one period, he entertained much mystic reverence.

The general style of Mr Sharp's engraving is not borrowed from any of his predecessors or contemporaries; but is eclectic,—which is to say, that it is fairly felt, and wrought out for himself, after looking at them all, with due respect, but without servility; and after comparing them with their grand archetype—nature. The half-tints and shadows of his best works are peculiarly rich; yet it is almost treason to the lights of his "*Diogenes*," his "*Children in the Wood*," and his "*Fathers of the Church*," thus to particularise them. His course of lines are always conducted with ability, and sometimes with that

"Wanton heed and giddy cunning,"

which can result only from genius. His play of lines has, generally speaking, the utmost freedom, combined with a power of regularity and accuracy, which always appears commensurate to the occasion. This implies more of the artist, and less of the mechanic, than we elsewhere find; a solicitude for the end, rather than for the means; and is the result of a grander career of mind, governed by bolder bridling.

In his works, every artist who is worthy of that denomination, continues to live long after the close of his mortal career. They are the most just and impartial monuments to his memory. Some of the productions of which we are about to speak will be admired for centuries, after the superstitious credulity and political folly of their author will be utterly forgotten.

Mr Sharp's principal portraits are as follows:—

The Prince of Wales, now our gra-

cious King, a beautiful specimen of the art, both of the engraver and of the painter, who was Cosway.

John Hunter, (the great anatomist,) after Sir Joshua Reynolds, a transcendent performance, of large folio dimensions. It is said, that until the production of this plate, Sir Joshua Reynolds was sceptical as to the power of line engraving to give the masses for which his works are so distinguished; and which had induced him to prefer mezzotinto and stippled engravings. Mr Sharp convinced him of his error.

Mr Moore, the original secretary to the Society of Arts, after West.

Shakspeare's Patron, the Earl of Southampton, of quarto size, (a small ruined chapel beneath.)

A Head in Du Roveray's edition of *Paradise Lost*, erroneously called the portrait of Milton.

Three Views of the Head of King Charles the First, after Vandyke.

Sir Everard Home, the distinguished comparative anatomist.

Sir Walter Farquhar, physician.

The Rev. Dr Valpy.

Lord Erskine.

Sir Francis Burdett, Bart.

Horne Tooke.

John Kemble.

Sir R. Dundas.

Charles Long, Esq.

F. Walker, Esq.

John Bunyan.

Joanna Southcote.

William Sharp, engraver, after Joseph.

Rev. Dr de Salis.

The Duke of Clarence.

Equestrian Figure of H. R. H. the Prince of Wales.

Whole-length Portrait of Sir William Curtis.

His principal historical engravings were St. Cecilia, after Domenichino.

Diogenes, after Salvator Rosa.

The Ecce Homo, after Guido, and the Madonna and Child, after Carlo Dolci, a pair.

Two heads, after Michael Angelo.

Sortie, made by the garrison of Gibraltar, on the morning of the 27th of November, 1781.

Boadicea, after Stothard.

The Fathers of the Church, after Guido, a work of superlative merit.

Alfred dividing his loaf with the Pilgrim. The Witch of Endor—and the hovel scene in King Lear; all three after West.

The Infant Saviour, from Annibal Caracci.

Christ and St John the Baptist.

Head of an old woman, after Rubens.

The figures to an oval plate, after Hearne, of Mr Peter Pounce rescuing Fanny, from the novel of Joseph Andrews.

A large plate, in a forward, though unfinished state, of the Dead Christ and Three Mariés, after the celebrated picture by Annibal Caracci, in the collection of the Earl of Carlisle.

Boadicea and her Daughters, after Opie, engraved for Hume's History of England, published by Bowyer.

Mary Queen of Scots escaping with Bothwell, after Smirke, for ditto.

Judith Attiring, after Opie, engraved for Macklin's Bible.

Destruction of the Assyrian Host, after De Louthembourg, engraved for ditto.

The Three Mariés at the Holy Sepulchre, after Smirke, for ditto.

#### MAJOR-GENERAL MACQUARIE.

Few men have died more regretted by a large circle of friends and acquaintance, and none more beloved and respected, than General Macquarie.

He was born in the island of Mull,

on the 31st of December, 1762; was lineally descended from the ancient family of Macquarie of Macquarie, and nearly allied to the chief of that warlike and loyal clan. His mother was the sister of the late Murdoch MacLaine of Lochbuy, than whose a more ancient or distinguished family does not exist in the Highlands of Scotland. At the early age of fifteen (9th April, 1777) he was appointed an ensign in the late 84th, or Royal Highland Emigrant Regiment, raised in America by his relation, Sir Allen Maclean; and, young as he was, he joined the corps immediately on his appointment, and served with it in Nova Scotia, under the command of Generals Lord Clarina, Francis Maclean, and John Campbell, till 1781, when he got his lieutenancy in the late 71st regiment. This regiment he joined in South Carolina, where he served under the orders of the late General the Hon. Alexander Leslie, till 1782, when the 71st, with other regiments, being sent to Jamaica, he remained there till the conclusion of the American war. At the peace of 1783, the 71st regiment was ordered home from the West Indies, and finally disbanded at Perth in 1784.

Lieutenant Macquarie remained on half-pay till December 1787, when he was appointed to the present 77th regiment, then raising, and of which, from his standing in the service, he became the senior lieutenant. He accompanied his regiment to India in the spring of 1788, and arrived at Bombay in the month of August of that year, where he was appointed captain-lieutenant in December; and for seventeen years he continued to serve in the presidency of Bombay, and in different parts of Hindostan, under the respective commands of Marquis Cornwallis, Sir William Meadows, Sir Alured Clarke, Lord

Harris, Sir Ralph Abercromby, Lord Lake, James Balfour, James Stuart, and Oliver Nicolls. Having purchased his company in the 77th, he received the brevet rank of major, in May 1796, and the effective majority of the 86th regiment in March 1801, with the brevet rank of lieutenant-colonel in the 9th of November of that year. In the year 1805 he got the lieutenant-colonelcy of the 73d, then a Highland regiment. In 1810 he obtained the rank of colonel in the army, and in 1813 was made a major-general. He was present at the first siege of Seringapatam in 1792, and at its capture in 1799. He was also distinguished at the captures of Carranou in 1790, Cochin in 1795, and Columbo in the Island of Ceylon in 1796. In 1801 he accompanied Sir David Baird and the Indian army to Egypt, with the distinguished rank of deputy adjutant-general, was present at the capture of Alexandria, and final expulsion of the French army from Egypt. In 1803 he obtained leave of absence, and came to England, where he was immediately appointed to the home staff, and served as assistant adjutant-general to Lord Harrington, who commanded the London district. In 1805 he returned once more to India, where he continued for two years, and then came home overland. He arrived in October, 1807, and joined the 73d regiment, then quartered at Perth, in 1808.

In 1809, when his regiment was ordered to New South Wales, Colonel Macquarie stood so high in the estimation of his king and of the ministers, that he received the appointment of governor-in-chief in and over that colony. He held this high office for a period of twelve years; and posterity will duly appreciate the soundness of those measures to which the colony owes its present prosp-

erity, and upon which will depend its future greatness. Indefatigable in business, and well qualified, from his intimate knowledge of mankind, to judge of the character of those with whom he came in contact, he conducted the affairs of his government with a prudence and steadiness which few, however gifted, will ever equal, and none, we venture to affirm, can ever surpass. One of the maxims which he appears to have had constantly in his view was, to raise to something like respectability in the scale of society, those who had expiated their crimes and follies by a life of good conduct and regularity, in that country to which they had been transported; and thus, by the countenance and support which the well-behaved were sure to meet with, he stimulated others to follow their good example; a conduct much more likely to prove beneficial, than if the repentant criminal had been left to his hapless fate, in a society where it required all the support of a governor-in-chief to give him a status in that society, and maintain him in it.

Having been superseded by Major-General Sir Thomas Brisbane, General Macquarie returned to England in 1822, and retired for a short time to his estate in the island of Mull. While in India, he married Miss Jarvis, sister of Lieutenant-Colonel Jarvis, now of Dover in Kent. But this lady did not live to accompany him to England, and left no issue; and in the beginning of 1809 he was married a second time, to Miss Campbell, daughter of Donald Campbell, Esq. of Aird, and sister to the present Sir John Campbell of Ardnamurchan, Bart. By this lady, who survives him, he has left one son, Lauchlan, who was born in Australia, and is now about nine years of age. During the winter of 1822-3, he travelled on the continent for the benefit

of Mrs Macquarie's health ; but in the autumn of last year he retired once more to his estate in Mull, where he intended to rusticate for a few years, until his son was prepared to enter Eton College.

• But alas ! how vain are the determinations of man ! In April 1824, General Macquarie came up to town, with the view of getting his colonial accounts finally settled, and to ascertain the determination of ministers in regard to the remuneration to which he had become entitled by his long and faithful services as governor of New South Wales. His accounts, being regularly and correctly kept, were soon brought to a close ; and his merit so fully allowed, that a pension for life, of a thousand a-year, was granted him ; and, as he states in a note to a friend, in the end of June, his cares were now at an end. In four short days from the date of that note, they were, indeed, at an end for ever. Dining at a friend's house, on a wet day, about the beginning of June, he was unable to procure a hackney coach, and as the rain had nearly ceased, he ventured to walk home to his lodgings. He was immediately seized with a suppression of urine, which, in the end, baffled the skill of the most eminent of the profession to remove or alleviate, and on the 1st July, 1824, he breathed his last. Mrs Macquarie, impressed with some impending misfortune, and having information from a faithful black servant who had been many years the attendant of the General, fortunately left Mull to join her husband in London, and arrived a few days before his death, so that she had the consolation, though a melancholy one, of witnessing the last moments of him whose loss is irreparable, but who died as he had lived, a hero and a Christian. General Macquarie was ever more desirous of

a good name than of riches ; he returned to England in 1822, a much poorer man than he had left it in 1809. He did not live to enjoy his pension a single day ; so that the regulated price of a lieutenant-colonelcy of infantry, which, a few days before his death, he was advised, under the new regulation, to sell, was all that he received for a faithful service of nearly half a century. We have little doubt, however, that when his merits become fully known to his majesty, and are fairly appreciated by his country, as one day they must be, some permanent mark of royal favour will be granted to his orphan son. General Macquarie has left one brother, a distinguished officer, Lieutenant-Colonel Charles Macquarie, who retired from the service a few years ago on account of bad health, and is now resident upon his property in his native isle. The General's remains were sent down to Scotland for interment, and have been deposited in the family vault of the Macquaries, at Iona.

#### MAJOR CARTWRIGHT.

The right of free political discussion is one of the essential features of the British constitution. It is by the collision of opinions that this country has obtained its present enviable condition of rational liberty. The arguments urged by the advocates of the various modes of government which enter into the composition of our own, heard in turn, have gradually enabled us to reject many of the evils, and to combine most of the advantages, which exist in the respective forms of monarchy, aristocracy, and democracy, singly considered. Our history affords few examples of men who have, through life, so warmly and perseveringly maintained the popular side of such

questions, as the late Major Cartwright. Of the soundness of his doctrines, carried to the extent to which he proposed to carry them, there may justly be grounds for more than doubt; but, we believe, no one could ever deny that he was a most consistent politician, and a most benevolent and honourable man.

Mr Cartwright was born on the 28th of September, 1730, and was third son of William Cartwright, Esq., of Marnham, in the county of Nottingham. His elder brother George, author of "A Journal of Transactions during a residence of Sixteen Years in Labrador," was a man of remarkable strength of intellect as well as of personal courage and bodily activity; his next brother, Edmund, of mechanical and poetical celebrity, is also well known to the public; and the fact of three brothers living to upwards of eighty years of age, and preserving to the last moment not only their vigour of mind, but all their accustomed energy of character, is a circumstance which we may safely assert has been seldom paralleled in the history of any family.

From the gentleness of his disposition, John Cartwright was a particular favourite in his family, and his father earnestly desiring to retain him at home, wished to turn his attention to agricultural pursuits; but the ardour of his mind made such a destination disgusting to him, and in a moment of boyish enthusiasm, excited by the military fame of Frederick the Great of Prussia, he left his house with the intention of becoming a volunteer in the army of that prince. He had not gone many miles before he was overtaken by the steward, who represented the distress his departure had occasioned, and easily prevailed on him to return. He was afterwards allowed to enter the naval service of his own country; a service

to which he was ever after passionately attached; and even in advanced age, his kindling eye bespoke the delight and interest he took in any subject connected with that profession.

The circumstances of his saving the life of a brother officer, of his being present at the capture of Cherbourg, and the sea-fight between Sir Edward Hawke and Conflans, together with many proofs of his zeal and ability, have been so often and so accurately related, that it is not necessary to dwell on them at present; we will, therefore, pass rapidly to the time when he sacrificed to a noble feeling for American rights, all the advantages which family connexions, and the friendship of Lord Howe, offered to his ambition.

In 1774, he began to publish his opinions on the dispute between the mother country and her American colonies, and great were the apprehensions of his family, that in so doing he might endanger his own safety; but he was, through life, a stranger to every fear, save that of acting against the dictates of his conscience.

In 1775, he published his "American Independence the Glory and Interest of Great Britain," and in the same year became major of the militia of his native county. After seventeen years of meritorious service, for which he was unanimously thanked by the deputy-lieutenants, he was, in the year 1792, superseded in his rank.

In 1780, he effected, with the assistance of Dr Jebb and Granville Sharpe, the formation of the "Society for Constitutional Information," which boasted among its members some of the most distinguished men of that day, with whom he was in habits of intimacy and constant correspondence. In the same year he married the eldest daughter of Samuel

Dashwood, Esq., of Well Vale, in the county of Lincoln, who was for forty-four years, as he himself emphatically termed her, "his dearest and best friend, to whom he was indebted for the chief happiness of his life." Soon after this marriage his father died, and Captain George Cartwright (already mentioned) succeeded by will to the family estate. Being also named executor, this gentleman found himself involved in difficult and perplexing business, to which his own losses in Labrador materially contributed; he, therefore, a year after, gladly accepted his brother John's offer of purchasing the property, which was accomplished by borrowing a large sum of money, and by the sale of an estate which he possessed as a qualification for the majority. It may not be improper here to mention, that though these two brothers were diametrically opposite in their political opinions, and though the elder was a man of warm character, and occasionally indulged in intemperate expressions, yet their attachment to each other continued through life. In fact, no man ever possessed a more placable disposition than Major Cartwright. His brother's vehemence only occasioned a benevolent smile; and the good old tory himself was known to declare, that though, as a loyal subject, it was his duty to hate his principles, yet as a brother he was bound by every tie of gratitude to love and respect him.

During the last illness of Captain Cartwright, the subject of this memoir, then in his eightieth year, travelled into Nottinghamshire, and remained for a considerable time by his sick-bed, administering his medicines, and watching him with all the assiduity of a nurse. It would be unnecessary to mention these particulars, had it not been for an anecdote industriously circulated by means of the public

press, a few days after Mr Cartwright had breathed his last, tending to show that these two brothers were not on good terms with each other.

In the year 1788, Mr Cartwright sold the estate at Marnham, and made a very fortunate speculation in the purchase of Brotherlop, near Boston, in Lincolnshire. By his judicious improvements and skill in agriculture, this estate became so profitable to him, that it enabled him to stand against many severe losses occasioned by the failure of a large concern into which he entered with several other gentlemen, as well as those still more severe, which he incurred by assisting his favourite brother, Dr Cartwright, in bringing to perfection his many ingenious inventions.

In 1803, he settled at Enfield, in Middlesex, from whence he removed, in 1810, to James Street, Westminster. In 1819, he changed his abode to Burton Crescent, from motives of kind consideration for the health of his niece, the youngest daughter of Dr Cartwright, who, losing her mother when an infant, was brought up by him and his excellent wife with even more than parental tenderness; and who delights to acknowledge, that she experienced, during the lifetime of her adopted father, that generosity which is generally deferred to a testamentary bequest. In this year he was indicted at Warwick, with several others, for unlawfully electing a representative to the Commons; and was found guilty on the 4th of August, in the following year.

On the 1st of June, 1821, he received his sentence in the Court of King's Bench, and was fined a hundred pounds. It was supposed, and probably with reason, that his great age and high character saved him on this occasion from imprisonment; but though his family and friends, including those who shared in the



indictment, rejoiced in his freedom, he himself would have preferred incarceration, to what he considered as an unjustifiable attack upon his purse.

In February, 1823, he carried his resolutions at a county meeting at Hackney by a large majority; and in March, 1823, he travelled to Lincoln at a very unfavourable season of the year, in order to attend a county meeting, in which he proposed his resolutions in favour of annual parliaments and universal suffrage—those doctrines with which he began and ended his political career; and though he did not succeed in his object, he had the satisfaction of being greeted by many kind friends, among whom were many in the lower ranks of life, who had walked a distance of above fifty miles to have one more look at their old and respected friend. It was one of Mr Cartwright's peculiarities, that he rarely appeared to notice any popular demonstrations of respect, so absorbed was he in the object nearest his heart; but on this occasion he observed to the relation who attended him on the journey, that his kind friends did not know how to express with sufficient warmth their pleasure in seeing him; and added, with a smile, "I thought, my dear, that my poor old arm would have been shaken off."

Till the autumn of 1823, Mr Cartwright's health had been remarkably good for one at his advanced age; to which, probably, his early rising, and long habits of temperance, had greatly contributed; and his family fondly hoped he might yet live many years; but, alas! these hopes were soon to be changed into anxiety and apprehension. While on a visit to his nephew, the Rev. Edmund Cartwright, near Chichester, during the month of October, he received intelligence of the illness of one of his

sisters; and on his returning to London, the death of his brother, Dr Cartwright, gave an additional shock to his constitution. The fatal reverses in Spain, and the consequent execution of the gallant Riego, with whose wife and brother he was well acquainted, and in whose sorrows he participated with that tenderness of heart which was one of his characteristics, also visibly affected his health; and from that time he perceptibly declined.

Sensible of his approaching end, of which he often spoke when not in the presence of his family, he used the expression, "I feel that the old machine is nearly worn out:" and in a letter, dated June 20, he says, "In my old man's chair, surrounded by those I love, whose affection and kindness are far more gratifying to me than I can express, my life glides smoothly towards its close, with a degree of happiness for which I am truly grateful." The impression of the short time which yet remained to him, made him so anxious to forward the great cause for which he lived, that it is to be feared that his exertions increased the feverish complaint which undermined his strength. Change of air being recommended by his excellent friend and physician, Dr Harrison, he removed to Hampstead on the 6th of September; but it was evidently to satisfy the anxiety of his friends, for when there, he calculated that he should not live till his birthday on the 28th; and finding that he grew rapidly worse, he returned, at his own desire, to Burton Crescent on the 16th.

From that day, he took to his bed never to rise again; and after a tedious week of lingering, though not acute, suffering, during which his piety towards God, his kindness to his attendants, his recollection of his friends, presented a picture not easily

forgotten by those who witnessed it, on the 23d of September, 1824, he surrendered his truly Christian spirit into the hands of Him who gave it.

The following is a list of Major Cartwright's publications: "American Independence the Interest and Glory of Great Britain," 1774, 8vo. "A Letter to Edmund Burke, Esq. controverting the Principles of Government laid down in his Speech of April 9, 1774," 1775, 8vo. "Take your Choice, &c. &c." 1776, 8vo.; reprinted 1777, under the title of "The Legislative Rights of the Commonalty Vindicated," 8vo. "A Letter to the Earl of Abingdon, discussing a Position relative to a fundamental Right of the Constitution, contained in his Lordship's Thoughts on the Letter of Edmund Burke, Esq." 1777, 8vo. "The People's Barrier," 1780, 8vo. "Letter to the Deputies of the Associated Counties, Cities, and Towns, on the Means necessary to a Reformation of Parliament," 1781, 8vo. "Give us our Rights," 1782, 8vo. "Internal Evidence; or an Inquiry how far Truth and the Christian Religion have been consulted by the Author of Thoughts on a Parliamentary Reform, (Soame Jenyns,)" 1781, 8vo. "Letter to the Duke of Newcastle," 1792, 8vo. "A Plan for providing the Navy with Timber," 1793, 8vo. "Letter to a Friend at Boston," 1793, 8vo. "The Commonwealth in Danger," 1795, 8vo. "Letter to the High Sheriff of the County of Lincoln," 1793, 8vo. "The Constitutional Defence of England," 1796, 8vo. "An Appeal on the Subject of the English Constitution," 1797, 8vo; 2d edition, greatly enlarged, 1799. "The Trident," 1800, 4to. "Letter to the Electors of Nottingham," 1803, 8vo. "The State of the Nation," 1805, 8vo. "England's Ægis," 1806, 8vo. "Reasons for Reformation," 1809, 8vo. "The

Comparison," 1810, 8vo. "Six Letters to the Marquis of Tavistock," 1812, 8vo. "A Bill of Rights and Liberties," 1817, 8vo. "The English Constitution produced," 1823, 8vo. Major Cartwright was also the author of several papers in Young's *Annals of Agriculture*.

#### CHARLES GRANT, Esq.

We know not when the grave has closed over the mortal remains of an individual whose life has furnished more valuable lessons to mankind, or whose death has deprived the world of a larger share of public and private virtues, than that of the subject of the following memoir. Whether viewed as a man of business, as a philanthropist, or as a Christian, his strict integrity, his mature wisdom, his firmness of character, his frank simplicity, his uniform consistency, his love for his fellow-creatures, his zeal for their welfare, and, above all, his deep and truly scriptural piety, were eminently conspicuous.

Mr Grant was born in Scotland in the year 1716. By the decease of his father, who fell in the memorable battle of Culloden, a very few hours after the birth of his son, the care of his infancy and youth devolved upon an uncle, at whose expense he received a good education in the town of Elgin. This signal benefit afterwards excited in Mr Grant's mind feelings of the most grateful respect for his uncle's memory, and these he expressed by a memorial placed over his grave.

In the year 1767, Mr Grant proceeded to India in a military capacity; but on his arrival there, he was taken into the employ, and under the immediate patronage, of Mr Richard Becher, a member of the Bengal Council. In 1770, he re-visited his native country, where he united himself by

marriage with a lady of the name of Frazer, who survives him. Having, while in England, obtained the promise of an appointment as a writer on the Bengal Establishment, he embarked for India in May 1772, accompanied by his wife, her mother and sister, and Lieutenant Ferguson, a friend of the family. The party took their passage in the ship *Vansittart*, Captain Young, destined first to Bombay, and thence to proceed to Calcutta, where, on his arrival, he received his appointment, which is dated the 27th of November 1772. In the course of this voyage he formed an intimacy with the Rev. Christian Frederick Swartz, a Christian missionary, with whom he maintained a correspondence till the decease of the latter. During the same voyage, he had the misfortune to be present at the sudden death of his friend Ferguson, who was killed, while on shore, at the Cape of Good Hope, in an encounter with Captain Roche, also a passenger in the *Vansittart*.

Almost immediately after Mr Grant's arrival at Calcutta, on the 23d of June 1773, he was promoted to the rank of factor, and soon afterwards was appointed secretary to the Board of Trade, which office he held for upwards of eight years, performing its duties with exemplary industry and ability.

In 1781, the Bengal government relieved him from his secretaryship, and stationed him as the company's commercial resident, in charge of their valuable silk factory at Malda, a town upon the banks of the Ganges, and in the immediate vicinity of the venerable and stupendous ruins of the once magnificent city of Gour, the ancient capital of Bengal.

In June 1784, he obtained the rank of senior merchant, and in 1787 was summoned to Calcutta, that he might take possession of the seat and office

of fourth member of the Board of Trade, conferred on him by Lord Cornwallis, in consideration of his distinguished abilities and approved integrity. It may be necessary to observe, that the trade with India was at this time the company's chief concern and exclusive property; and that the board at Calcutta, in correspondence with the court at home, had the general management of the company's commercial interests. While his conduct as a member of this board added much to his reputation with the government, the discharge of the duties of the office considerably increased his commercial experience and general knowledge. But in less than three years after he had received this appointment, the impaired health of his family compelled him suddenly to quit India, and return to England. Lord Cornwallis, who had held frequent communications with Mr Grant, and entertained the highest regard for him, when solicited to allow him to quit the presidency, expressed regret at the necessity which deprived government of his services, considered as they were by his lordship so *essential* to the proper executive management of the commercial interests of the company, that he would in any case, not of the most extreme urgency, have requested him to continue. But this being impracticable, his return to England was accompanied by unusually strong expressions of the high satisfaction with which the government regarded his zealous and faithful services in the commercial department.

A distinguishing feature of Mr Grant's character while in India, appears to have been a solicitude to uphold, to the utmost of his power, both by his example and influence, the public profession of the Christian religion by the Europeans. In this cause his zeal upon some occasions surpassed that of his contemporaries

He not only contributed liberally towards the re-building of St John's church, in Calcutta, but promoted it by active exertions. It is also a fact not generally known, and to be recorded to his lasting honour, that he redeemed Bethshephillah, the Protestant mission church, from desecration, at a personal expense to himself of 10,000 rupees, and vested it in trust for sacred and charitable purposes for ever.

After a residence in India of, altogether, nearly twenty years, in the service of the East India Company, Mr Grant, with his family, re-embarked at Calcutta, on board the ship *Berlington*, and arrived in England in the autumn of 1790. His early promotion to stations of trust and emolument, for which he had been recommended by superior talent and tried integrity, had enabled him to acquire a respectable competency of fortune: and his residence in India, influenced, as he appears to have been, during the whole term of it, by a peculiarly strong sense of the obligations of religion, had matured his character to that of a Christian philanthropist, and inspired him with lively feelings of solicitude for the moral and intellectual welfare of the immense Mahomedan and Heathen population subject to the British government. He had instituted a close scrutiny into the character of the natives, which had resulted in the formation and establishment of opinions that governed his subsequent conduct upon occasions of great moral and political importance. His first employment, after his return to England, was to commit the result of his enquiries to paper, in a tract entitled, "*Observations on the State of Society among the Asiatic Subjects of Great Britain*;" which was written in 1792, although not submitted to perusal, out of the circle of his personal friends, till 1797. In that

year he laid it upon the table of the court of directors, with an introductory letter, stating his motives for so doing to be, a consideration of its relevancy to certain proposals for communicating Christianity to the natives of India, by granting permission for missionaries to proceed thither, which had been repeatedly pressed upon the court's attention. This paper will be again adverted to, in connexion with final and successful efforts of its author for the attainment of that object.

On the 30th of May 1794, he was elected a director of the East India Company, by the unanimous vote of the proprietors, not more than two months after he had declared himself a candidate for the direction. He was at this time in the 49th year of his age, and in the full vigour of an excellent constitution.

To attempt a detail of all the important measures connected with the India administration, in the discussion and adoption of which, Mr Grant, from this time, took an active and often a prominent part, would be here impracticable. But that a brief reference should be made to a few of them, seems necessary for the illustration of his character, as the attached and powerful supporter of the East India Company, and their zealous advocate in Parliament; and as the indefatigable friend and benefactor of the native population of British India.

The subject of greatest moment which Mr Grant found under the consideration of the court when he entered it, and which appears to have attracted his early attention, was a question respecting the freight paid by the company for the hire of their shipping. This suggestion for an economical reform had been for several years before the court of proprietors, but no effectual measures of relief had been determined upon. The friends of Mr Grant claim for him the credit

of having been mainly instrumental in effecting the salutary reform which afterwards took place. The value of this to the company may be estimated by the recorded fact as stated in the general court, that, within a few years, a sum of more than 10,000,000*l.* had been paid for freight above that which ought to have been paid, upon any principle of fair and open competition. The best testimony to Mr Grant's merits in the accomplishment of this change, is that furnished by its enemies, who, it appears, at the next election, made a vigorous but unsuccessful attempt to prevent his return to the direction.

Upon other important questions which were agitated about this time, particularly those respecting the opening of the trade of India, and the prevention of an illicit trade, it will not be disputed, by persons conversant with the subject, that Mr Grant strenuously and eloquently supported the company's rights, and rendered them eminent service.

Upon a question of equal moment, and peculiar delicacy, which first came under discussion in 1797, highly affecting the character of the directors, and thereby the vital interests of the company, the course pursued by Mr Grant was as honourable to himself as it was beneficial to the body of which he formed a part. This question was the alleged abuse of the patronage of the court, an imputation to which it was subjected, by the daily appearance of advertisements in the public papers, offering appointments to India for a valuable consideration. To prevent the appearance of such advertisements, the court, it was found, possessed no power, nor any means of compelling a disclosure of the parties who, there was reason to fear, were in some cases guilty of abusing the kindness of its members. Yet, restrained as they were by legal

obstacles, from either redressing or preventing the daily wrong done to their character, they judged it proper to use every possible means for their own exoneration. In September 1800, and in January 1801, the subject was warmly taken up in the general court; and, upon the latter occasion in particular, Mr Grant, in an argumentative speech of some length, declared himself favourable to the prosecution of inquiry in every possible way, considering "that the honour of the court, the satisfaction of the public, and the state of the subject, did require it." By the decision of a ballot, which followed this discussion, a majority of the proprietors of India Stock exonerated the court from suspicion, while the continuance and flagrancy of the grievance left the public mind unsettled upon the subject. At length an opportunity was afforded, by some disclosures which were accidentally made in the House of Commons, in the course of the enquiry into the conduct of H.R.H. the Commander-in-Chief, in 1809, of effectually tracing the evil to its source. Mr Grant, who had then a seat in the House, obtained the concurrence of the court of directors, and joined his brother director, Mr George Smith, in a request that the House would appoint a select committee for the investigation of the subject. The results of that investigation, which were exculpatory of the whole court, did not reflect more honour upon the gentleman who had sought it, than did the high tone of manly feeling and conscious purity with which it had been solicited.

In April 1804, he was, for the first time, elected deputy-chairman of the court of directors; the Hon. W. F. Elphinstone being at the same time chosen to fill the chair, to which Mr Grant succeeded in April 1805. From April 1806 to April 1807, he was out

of the direction by rotation. Upon his return to the court in April 1807, he was again elected deputy-chairman, his friend Edward Parry, Esq. being at the same time chosen chairman. This arrangement was continued from April 1807 to 1809, when Mr Grant was again chosen to fill the chair, which he held till April 1810. He was re-elected to it in 1815, and filled it till 1816, making altogether a period of six years, during which he held the office of chairman or deputy-chairman of the court. Those only who reflect upon the extent of the British territories and interests in India, and the constitution of the India government at home, have it in their power to form an adequate conception of the variety, importance, and intricacy of the subjects, which, in the course of such a protracted career of official duty, would occupy the mind and time of a gentleman thus distinguished by the confidence of the court. An entire devotion of time and talents is, in general, not more than sufficient for the discharge of the incumbent duties of either of these responsible situations. He conscientiously disapproved of many parts of Marquis Wellesley's administration, and joined in the motion of Sir Philip Francis, against the system of extended territory in India. He entirely supported Sir George Barlow, on the conduct held by him, on the critical occasion of the mutiny at Madras.

The negotiation between the court of directors and his Majesty's ministers, for the renewal by charter of the Company's commercial privileges, which commenced in 1808, when Mr Grant was deputy-chairman, called forth an extraordinary display of the powers of his mind. This negotiation brought under review almost every right which the Company possessed, and involved in its progress

the discussion of every principle of colonial government applicable to the East Indies. To assist in an investigation so extensive, Mr Grant was peculiarly qualified, by the extent of his information, the soundness of his judgment, and the laboriousness of his habits; and very important services were, no doubt, rendered by him to the Company. He took an active, and sometimes a prominent part in all the proceedings. He was elected by the court a member of the deputation appointed to confer with his Majesty's ministers; was intrusted with the presentation of petitions to Parliament on the Company's account; and in the House of Commons asserted and defended their rights, and maintained their pretensions with great ability. But while Mr Grant thus supported the interests of the Company, he kept constantly in view the intellectual and moral wants of India; and, in meeting these, had to encounter difficulties as unexpected as they were extraordinary, partly occasioned by the fears, and in some instances arising out of the most surprising prejudices in favour of the Hindoo idolatry, which were entertained by Europeans connected with India. Among those who appeared to cherish prejudices in favour of the Hindoo idolatry, were the authors of several pamphlets circulated at the time, particularly the writers of one which bears the signature of a Bengal Officer; and among those who professed to entertain fears for the permanence of the British power in India, were two respectable proprietors of India stock, (one of whom was afterwards a director,) and who came forward avowedly to oppose missionary exertions, in pamphlets which bear their names. The one party maintained the purity of Asiatic morals, and the harmlessness of the Hindoo character; and the other,

the danger of meddling with Hindoo prejudices.

With a view to dispel the fears and remove the prejudices of the enemies to missionary efforts, many important documents were produced and laid on the table of the House of Commons, chiefly at the instance of Mr Grant; such as, proofs of the prevalence of infanticide in different parts of India—of the impurities and atrocities of Juggernaut, and of the great extent of the worship of that idol—of the habitual falsehood and dishonesty of the Hindoos—and, on the other hand, of the long undisturbed existence of Christianity in some parts of India—lastly, Mr Grant's own tract, entitled, "Observations on the General State of Society among the Asiatic subjects of Great Britain with respect to Morals, and on the Means of improving it." This valuable paper was called for by the House of Commons, laid on its table, and ordered to be printed for the use of the members, on the 5th of June, 1813. It commences with a review of the British Territorial Administration in the East, from the first acquisition of territory there. It then exhibits a true picture of the moral character of the Hindoos, supported and verified by a great body of evidence, extracted from the printed works of persons who have been in India; an examination of the causes of that character, which are traced in the religion or superstition of the people, as well as in their corrupt, unequal, and defective laws, and in the absurd prerogatives and duties of the native magistracy. In entering into the measures which Great Britain might adopt for the removal of these evils, and the improvement of the state of society in India, Mr Grant refers to the introduction of our language as a circumstance arising almost necessarily out of our connexion with In-

dia, and which rendered extremely easy, if it did not carry along with it, the introduction of much of our useful literature, and particularly our sacred Scriptures. Towards the last measure, with every more direct means of improvement, such as schools and missions, he considered it incumbent on the court of directors to manifest at least a friendly aspect, and, with respect to education, a co-operation.

On the 23d July, 1813, the Act of Parliament, 53 Geo. III. c. 155. commonly called the Charter Act, obtained the royal assent. It is well known that this statute, the fruit of much and laborious discussion, effected some considerable changes in the East India Company's commercial privileges, in which Mr Grant could not concur; but, on the other hand, it contained three important modifications of the law, which were in perfect accordance with the sentiments and reasoning above detailed, and the attainment of which, there can be no doubt, ought in justice to be ascribed, in a considerable degree, to his zeal and exertions.

The first of these was an augmentation of the ecclesiastical establishment of British India, and the institution of a bishop's see at Calcutta; the second, the privilege granted to European teachers of Christian morals, or missionaries, of enjoying a regulated access to the natives of India; and the last, the annual appropriation of the sum of one lack of rupees for the general promotion of education among them. These results appear to have been the fruit of a series of wise, persevering, and pious exertions, made by Mr Charles Grant, with a view to promote and secure the highest honour and truest interests of Great Britain in India, viz. the consolidation of her empire there, by the improvement of the intellectual and

moral character of her subjects. The only parliamentary measures of a date subsequent to the passing of the Charter Act to which we shall advert, in consequence of the part Mr Grant took in them, are, the India Circuitous Trade Bill, which passed in December 1813, and the proposal to lay open the China trade, in 1820, 1821. From the former a clause allowing the Canaries, the Cape de Verd Islands, and the Island of Madeira, to be used as ports of refreshment, was at his instance struck out, in order that those places might not be made depots of India goods to the prejudice of the Company. And Mr Grant's exertions, in 1820 and 1821, for the defence of the Company's interests in their China trade, were incessant, and their issue successful. He had retired from the House of Commons, on account of his advancing age, in 1819. He was nevertheless examined at his own request, upon the subject, before the Lords' committees, on the 6th and 13th July 1820, and 26th February and 5th March 1821, and before a committee of the House of Commons on the 16th and 17th April 1821. The testimony which he gave upon these occasions was of considerable importance to the Company's interests; and it was supported by documents collected and prepared by himself, or under his immediate superintendence. So completely did Mr Grant's evidence, and that of other members of the court who were examined before the committee, rebut the allegations of the petitioners against the Company, that it is well known no report was made by the committee in the first session; and it is equally certain that to this moment the projected innovation on the China trade remains unaccomplished; while the historical narratives and able calculations which he presented

to parliament, stand uncontradicted upon its records, for the future refutation of any erroneous allegations which may be made by parties opposed to the Company in this branch of their traffic.

Mr Grant's correspondence and intercourse were unusually extensive, and with persons of the first rank and consideration. Upon almost all occasions he received the fullest proofs of public as well as private confidence, and upon many, expressions of unusual respect. The opinion of Lord Cornwallis respecting him, at an early period of his public life, has been already adverted to. It is also generally understood that Lord Melville, while president of the Board of Commissioners for the Affairs of India, not only recommended him to the choice of the proprietors of India stock, but afterwards invited him to become a member of the Bengal council, which he declined, from motives the most disinterested and patriotic. The proprietors of India stock have themselves given him some tokens of their special favour. Very soon after they had placed him in the direction, they suspended one of their own by-laws, to enable him to retain a commercial establishment which he had formed in India. In April 1807, they placed him in the direction by a very unusual majority of votes, Mr Grant's name standing at the head of a list of twelve candidates, with 1523 votes out of a proprietary of less than 1900 persons: and since his decease, *viz.* on the 17th instant, they have resolved to commemorate his distinguished services, by the erection of a monument at the Company's expense, in St George's Church, Bloomsbury.

The House of Commons, in which he sat for about seventeen years, *viz.* from 1802 to 1819, (being two years for the town, and fifteen for the coun-



ty, of Inverness,) repeatedly elected him on committees, some of which were not connected with India affairs. He was appointed by act of parliament (37 Geo. III. c. 34. s. 6.) one of the commissioners for the issue of exchequer bills, and in 1818 was elected chairman of these commissioners. He was also included in the commission for the appropriation of the sum of 1,000,000*l.* sterling, granted by parliament for the erection of new churches.

Amidst the multiplicity of his occupations, his parliamentary constituents and his native country enjoyed a large share of his anxious attention. At the date of his election to a seat in parliament, the Highlands of Scotland were, as regards the means of internal communication, in a state of almost primitive destitution. Adequately to supply these deficiencies in a country so poor, so extensive, so thinly peopled, and abounding with physical obstacles, was an undertaking too gigantic for the efforts of local combination. Such being the undeniable condition of the Highlands, government resolved to undertake various magnificent works, which, now in a state of completion, add greatly to the convenience and welfare of the country. The Caledonian Canal was the first which was commenced. The original conception of this navigation was of very early date; but Mr Grant, though he did not originate it, stood forth at once as its indefatigable promoter: and to his ceaseless importunities to government, and his devoted services as a commissioner, the country, perhaps, mainly owes it that the progress of this noble work was not, in times of national danger and difficulty, delayed, or completely frustrated. After twenty years of anxious labour, Mr Grant had the satisfaction, in one of his latest visits to the Highlands, of super-

intending in person the formal opening of this navigation. The Act for cutting the Caledonian Canal was followed by another for the formation of Highland roads and bridges. Mr Grant, it is understood, was among the first projectors of this measure, and, for a period of twenty years, he strenuously exerted himself to advance it. The completion of the plan embraced the formation of fourteen hundred bridges, and above a thousand of the finest roads in Scotland. These works have been accomplished by an expenditure of above a million sterling. Among other measures of local improvement in his native country, in which Mr Grant co-operated, one of the latest efforts of his public life, was the promotion of the act for building and endowing fifty new churches in the extensive parishes of the Highlands. The establishments formed of late years in Edinburgh and in Inverness for the extension of education in the Highlands, which, by means of 150 schools supported by them, have done much to disperse the moral darkness of the remote parts of Scotland, constantly found in him a warm and efficient friend. Mr Grant was also among the first to introduce Sunday-schools into that quarter. Two of these he supported by giving salaries to the teachers at his own private expense, which he continued to do during the last twenty years of his life.

Among many private testimonies to his worth, it may be sufficient to refer to two, being those of political opponents. The late Sir Philip Francis, at the close of a debate on India affairs, in which he had been decidedly opposed to Mr Grant, declared, that no man in England had a higher opinion of his moral character than he had. "Upon the facts in question," Sir Philip added, "there can-

not be a more competent witness, nor any human evidence less to be suspected!" Another opponent, Mr Scott Waring, declared, that Mr Grant was "incapable of asserting what he did not believe to be true, or of delivering his sentiments on a subject which he did not understand."

Although Mr Grant ever considered the affairs of India as his peculiar province, and as a sufficient occupation for his mind, he allowed himself to have some other public engagements; but chiefly in connexion with religious or benevolent subjects. He appears to have been for many years a director of the South Sea Company. He was a member of the Society in London for promoting Christian Knowledge, as well as of another society of the same name, connected exclusively with the Highlands and Islands of Scotland. He was elected a vice-president of the British and Foreign Bible Society, upon its institution, in 1804, and was at different subsequent periods chosen vice-president of the Bloomsbury and North-east London Auxiliary Societies. He was also connected with the Church Missionary Society. To many other associations of a charitable or religious description, he afforded the sanction of his name, and the aid of his contribution.

In the service of the oppressed Africans he joined his friend Mr Wilberforce, in 1807, as a member of the temporary committee of gentlemen then associated with a view to the establishment of the African Institution. To their labours and efficiency he essentially contributed, and was afterwards chosen one of the directors.

The eminent qualifications of Mr Grant, as a statesman and a man occupied in public affairs, must have been sufficiently apparent to every

reader of this memoir. It may not, however, be improper to observe, that as a public speaker, he commanded attention in debate by an erect, majestic, and, in the latter years of his life, venerable figure, by a voice deep and sonorous, an enunciation clear and deliberate, and, above all, by arguments perspicuous and convincing. He accustomed himself to deliver his sentiments with gravity, and appeared to expect the same temper in his auditory. His style in writing corresponded with that of his eloquence. Cautious and deliberate in the examination of his authorities, his references to written or printed documents were generally unanswerable. As a friend, he was ardent and constant. In no part of his conduct was the firmness of his mind more apparent than in the inviolability of his friendships. To the numerous individuals who enjoyed his patronage, he was always accessible, and frank in his communications; and his kindness to them rarely terminated with a single instance. As a philanthropist, and more especially as a Christian, Mr Grant is entitled to the praise of eminent consistency and zeal. The decision of his character respecting religion enabled him often to surmount such opposition to his benevolent projects as would have overturned the purposes of many other men. But Mr Grant, to the last moment of his life, retained, and illustrated in his conduct, the religious principles and philanthropic views which he had imbibed in India.

The great subjects of Christian benevolence were ever present to his understanding, and near his heart, and appeared to have a powerful influence upon his actions, leading him in the prosecution of his multifarious occupations to travel in paths into which the ordinary details of business

would never have led him. Under some aspect or other they were almost constantly before him, and are believed to have occupied his close attention within a few days, and probably

within a few hours, of his decease; which took place at his house in Russell-square, on the 31st of October, 1823.

No. V.

## LITERARY CHRONICLE

## ROYAL SOCIETY OF LITERATURE.

THE Council of this Institution have elected, from the class of Honorary Associates, the ten following individuals, to receive the allowance of 100*l.* per annum for life, granted by his Majesty. They take the title of Royal Associates:—

1. Samuel Taylor Coleridge, Esq.—*The Friend*, *Essays*—*Lay Sermons*—*Translation of Wallenstein*—*Remorse*, a Tragedy, &c.

2. The Rev. Edward Davies—*Celtic Researches*—*Mythology of the Antients*.

3. The Rev. John Jamieson, D.D. F.R.S.E. F.L.A.E.—*An Etymological Dictionary of the Scottish Language*—*Hermes Scythicus*, and other works.

4. The Rev. T. R. Malthus, M.A. F.R.S.—*Essay on Population*.

5. Thomas James Mathias, Esq. F.R.S. F.S.A.—*Runic Odes*—*On the Evidence relating to the Poems attributed to Rowley*—*The Shade of Alexander Pope*—and various other works.

6. James Millingen, Esq. F.S.A. *Peintures Antiques inédites de Vases Grecs*—*Peintures de Vases Grecs de*

*la Collection de Sir John Coghill, Bart.*—*Recueil de quelques Médailles Grecques inédites*—*Medallic History of Napoleon*.

7. Sir W. Ouseley, Knt. LL.D.—*Persian Miscellanies*—*Oriental Collections*—*Travels in Persia*, &c.—and other works.

8. William Roscoe, Esq.—*Life of Lorenzo de Medici*—*Life of Leo X.*, &c. &c.

9. The Rev. Henry John Todd, M.A. F.S.A.—*The works of Spenser*, &c.—*Milton's Poetical Works*, &c.—*Some Account of the Life and Writings of John Milton*—*Illustrations of the Lives and Writings of Gower and Chaucer*—*Memoirs of the Life and Writings of Bishop Walton*, &c.—*Johnson's Dictionary corrected*, &c.

10. Sharon Turner, Esq. F.S.A.—*History of the Anglo-Saxons*, &c.—*Vindication of the Genuineness of the Ancient British Poems of Aneurin, Taliessin, Llywarchlen, and Merdhin*; to which are added, an *Essay on the Antiquity of Rhyme in Europe*—*"The Voluspa"*—*The History of England during the Middle Ages*, &c.—*Proslutions*.

The General Meeting of this So-

ciety was held May 6. The President, the Bishop of St David's, took the chair. The Secretary, the Rev. R. Cattermole, brought forward the Annual Report of the Society's proceedings. It announces the election of the ten Royal Associates. These ten have been presented with His Majesty's annual bounty of 100 guineas each. His Majesty has also placed two medals, of the value of 50 guineas each, at the disposal of the Society, which for the present year have been adjudged to W. Mitford, Esq. for his History of Greece, and to Signor Angelo Mai, for his literary discoveries in the libraries of Milan and the Vatican. The Honorary Associates of the First Class, elected for "their eminence in the pursuit of literature," who remain on the Society's list, after the nomination of those noticed above are as follows: Bernard Barton—R. Duppa, Esq. I.L.B.—Rev. T. D. Fosbroke, M.A. F.S.A.—W. Jacob, Esq. F.R.S.—Rev. S. Lee, M.A. Prof. Arab. Univ. Camb.—Rev. J. Lingard, D.D.—Rev. G. Miller, D.D.—T. Mitchell, Esq. M.A.—J. Montgomery, Esq.—Rev. J. Parsons. B.D.—Rev. R. Polwhele, M.A.—Rev. A. Rees, D.D. F.R.S. F.L.S.—P. F. Tytler, Esq. Sec. Litt. Class. R.S.E.

1.—The first paper read before the Society, was communicated by Granville Penn, Esq. entitled, "Account of an unknown Manuscript of 1422; illustrating the last Declaration of Henry V." &c. The Declaration alludes to a project of Henry, made public by the Monarch himself during his last illness. It was his fixed intention, he said, had God spared his life, "after having settled the Kingdom of France in peace, to proceed to the Holy Land, and make war upon the infidels, for the recovery of Jerusalem out of their hands." After showing, by arguments resting on Historical Authority, that this reso-

lution had been formed long before the occurrence of the circumstance which led to its publicity; and that it was consistent with Henry's character, not to have before revealed it; Mr Penn proceeds to authenticate the fact, by an account of the discovery and contents of a curious *Black Letter MS.* in Old French, found at Lisle, in the year 1819; which proves to be a Memoir of an actual "Military Survey of the Coasts and Defences of Egypt and Syria, from Alexandria round to Gallipoli, made by the command of Henry;" and clearly intended to be made use of in planning and conducting the projected expedition. The author of this Survey was Gilbert de Lannoi, a knight of a noble French family, and the Duke of Burgundy's Ambassador to King Henry.

2. The second and third papers were the first two of a series of *four*, communicated by Sharon Turner, Esq. "on the mutual resemblances, discoverable in the Languages of Nations, not related to each other by known origin or by any geographical contiguity." Mr Turner pursues his object, with much research, through this First Paper, by a comparison and classification of the terms, both simple and compound, made use of by various ancient and modern nations, to express the numeral *One*.—3. In his Second Paper, Mr Turner traces the relations that exist among nearly all the known languages of the world, as exemplified in the instance of words employed to express the numeral *Two*.

4. The Fourth Paper read, was entitled "Observations on the Counterfeit Madness of Hamlet, and the motive which induced him to assume the appearance of distraction." By Thomas Bowdler, Esq. The object of the author is, to prove, that the mental aberration of Hamlet is, throughout, assumed, as the only cloak under which he could, at once, conceal the

purpose of murdering his uncle, to which he had been instigated by the spirit of the deceased King, and escape the odious character of a traitor and assassin, which, he dreaded, would follow its accomplishment.

5. The Fifth paper, by Sir W. Ouseley, was entitled, "Observations on the River Euphrates." The Etymology of the name of this celebrated river is traced by Sir William, through various authors—Latin, Greek, Arabic, Persian, and finally, Armenian—to the Hebrew *Perath*, *Frat*, or *Phrath*, adopted by the Greeks in the form *Euphrates*, as now written. He notices the agreement of European writers, respecting its source, which they place in Armenia; quotes from the Persian Geographer, Hamdallah, a passage descriptive of its course thence, through an extent of about 1500 miles, to the Persian Gulph; and gives an account of its appearance and geological phenomena, as seen by himself in the year 1812. The whole dissertation is authenticated by many references; and concludes with a collection of the various opinions concerning the Site of Paradise, which the learned have sought to discover along the banks of the Euphrates.

6. The sixth paper read, was "an Historical Account of the Discoveries that have been made in Palimpsest, (or Rescript) Manuscripts." By Archdeacon Nares, a V.P. of this Society. This treatise is divided into two parts, of which the first comprises notices of the principal discoveries of this class, made previously to those of Angelo Mai. Those enumerated are—1. Parts of the New Testament, recovered by Kuser and Wetstein, from a MS. of the sixth or seventh century, in the Royal Library at Paris.—2. Portions of the Epistle to the Romans, translated by Ulphilas, Bishop of Gothland, in the fourth cen-

tury, found, with other fragments, by Francis Augustus Knittel, in 1755.

—3. A Part of the ninth book of Livy, discovered in the Vatican Library, in 1773, by Paul James Bruns.—4. The gospel of St Matthew, recovered from a rescript MS. in the Library of Trinity College, Dublin, in 1801, by the Rev. John Barrett, D.D. Vice Provost, and Senior Fellow of the Trinity College. The second part of the Archdeacon's communication is devoted to the extensive discoveries of the Abate Angelo Mai, Librarian to the Vatican, and an honorary member of this society. It includes a particular notice of eight articles; viz.—1. Fragments, hitherto inedited, of three orations of Cicero, from a MS. of the second or third century.—2. Three other orations of Cicero, with some ancient commentaries, not before published.—Date, eighth century.—3. Parts of eight compositions of the Orator Symmachus.—Date, seventh or eighth century.—4. Several inedited fragments of Plautus.—5. Very extensive remains of the celebrated Orator Fronto, consisting of Epistles, Orations, &c.—6. Fragments, hitherto inedited, of various ancient Commentators upon Virgil.—7. An edition, to which many new fragments are added, of the Gothic Version of the New Testament, by Ulphilas, discovered by Knittel.—8. Very considerable portions of the long-lost books of Cicero, "De Republica." These valuable discoveries were all given to the public, by this indefatigable scholar, between 1815 and 1820.

8. The seventh paper contained an "Account of the Discovery of some Greek Sculptures, in the ruins of the Temples at Selinus: in a letter to W. Hamilton, Esq. a Fellow of this Society; his Majesty's envoy at the Court of Naples." By Mr Angell, architect; transmitted to the Society

by Mr Hamilton. In the researches which were rewarded by the discoveries he communicates in this letter, the writer was assisted by Mr Harris, a gentleman of the same professional pursuits; who, through his ardour in the prosecution of them, fell a victim to the *mal' aria*. The Temples at Selinus are six in number.—Three on the eastern, and three on the western hill, between which the city stood: their magnificent remains are described at length, by Mr Angell. Amongst the ruins were discovered the fragments of several sculptured *metopæ*, in a very antique style of art.

8. The eighth and last communication read before the society, was a third paper, by Mr Sharon Turner, consecutive to his two former; in which the author farther elucidates the proofs he before adduced, of a common origin, or mutual consanguinity, in the languages of countries wholly disconnected from each other. He here brings forward a collection of 350 words; used in various languages to express the relation of "*Mother*;" the majority of which rank under two divisions, the first having M, the second N, as the predominating sound. In this paper is involved a discussion of the question, Whether any particular sound be exclusively natural to the organic tendencies of all infants; which, Mr Turner contends, is not the case. The origin of the coincidence of such sounds, in so many languages, must be sought for in other sources. The two classes, into which Mr Turner divides the words he has collected, are nearly equal in number; and since he shows that they originate in utterances entirely dissimilar, he infers that neither class can be peculiarly natural to the infantine organ. Mr Turner's notion of a common origin of languages, as thus far developed

by him, has, therefore, the support of these two facts, irreconcilable, in his opinion, upon any other hypothesis, viz. that the most striking coincidences are found to exist between nations which are not related to each other by any local affinities whatsoever; and, that nature inclines the organ of language, in infancy, to no one alphabetical enunciation in preference to another.

#### SIR M. M. SYKES'S LIBRARY AND PICTURES.

The sale, by Mr Evans, of the first part of this splendid, curious, and extensive library, continued eleven days, and the produce was nearly 10,000*l*. The Duke of Sussex, the Duke of Northumberland, Earl Spencer, Mr Thomas Grenville, Mr Heber, Mr George Hibbert, Mr Barclay, Mr Dent, the Rev. Mr Rice, of Brighton, and most of the opulent London Biblioplists, have enriched their collections by the dispersion of the literary treasures contained in this magnificent library. The books, especially those printed in the fifteenth century, sold at higher prices than we ever remember. The copies, however, were, in general, matchless in point of condition, and many of them printed upon vellum. Old English poetry was, in some instances, more highly appreciated than even in the Roxburghe sale. The Archives at *Hodnet*, where there scarcely remained an *hiatus* in this branch of literature, has been enriched by an accession of many rare gems; and the *Éditiones Principes*, both at the Duke of Sussex's at Kensington Palace, Lord Spencer's at Althorpe, and Mr T. Grenville's in Cleveland-row, have received valuable additions, which the royal and noble owners had despaired of ever obtaining. The original report of the convocation to Henry VIII. on the legality of his

proposed divorce from Anne of Cleves, subscribed with the autograph signatures of the Archbishops, and all the Bishops and clergy, assembled in convocation, a manuscript, on vellum, was bought for the state-paper office, by order of Mr Secretary Peel, for 215*l*.

At the sale of the second portion of Sir Mark Sykes's splendid library, the celebrated edition of *Liuy*, printed by Sweynheym and Pannartz upon vellum, in 1469, sold for 450 guineas. Erasmus's far-famed Greek Testament on vellum, printed at Basil, 1519, in which edition Erasmus omitted the celebrated verse in St John's Epistles, respecting the three heavenly witnesses, was purchased by the Archbishop of Canterbury, for 140*l*. Sir Mark Sykes bought this book in Holland for 30*l*.; there is but one other copy of it known to exist on vellum, and that is in the Cathedral at York. Sir Mark Sykes manifested so ardent a disposition to possess this volume, that previously to his fortunate purchase abroad, he is said to have offered the Archbishop and Dean and Chapter of York, one thousand guineas for their copy, which they refused.

Sir Mark Sykes's Italian pictures and Bronzes were sold by Mr Christie, at his rooms in King-street. The pictures were not numerous; many of them, however, were of the first class. The magnificent landscape, by Salvator Rosa, was purchased by Mr Lambton, after a severe contest, for 2100 guineas. Lord Darnley purchased a delightful and most interesting picture, painted by Rubens; the subject, two naked boys blowing bubbles. Noah's Sacrifice, by N. Poussin, was purchased, we understand, by the Marquis of Stafford, for 300 guineas. All the good pictures sold at high prices.

#### LIBRARY OF PROFESSOR MEERMANN.

The sale of this celebrated collection of books and MSS. was concluded on the 3d July, after four weeks' continuance. It produced 131,000 florins. A great part of this celebrated library has been purchased by foreign collectors and booksellers, especially English; though a very considerable portion, both of the books and MSS., has been secured for the Royal Library at the Hague, the Royal Institute at Amsterdam, and various academies in Holland. Among the principal purchasers was Baron Van Westreenen Van Tiellandt, nephew of Professor Meermann, who, on this occasion, enriched his extensive library by the acquisition of a great number of rare and important works, especially such as related to the national literature and history; and also of the *Rijmbibel* of Jacob Van Maerlant, a valuable MS. which has never been printed, and is of great importance to the Dutch language; the MS. of the Universal History of Egidrus de Roya, dedicated to Bishop David of Burgundy, from the library of that prelate; the Chinese Atlas, drawn in China itself, for M. Witsen, burgomaster of Amsterdam; the original MS. of Grotius' "Comparison of the Athenian, Roman, and Batavian commonwealths," &c. &c.

The late Mr Dimsdale's (the banker) Greek, Roman, English, and foreign coins and medals, in gold, silver, and copper, have been selling this month, by Mr Sotheby, at most extraordinary and unheard-of prices. A Queen Ann's five-guinea piece produced 34*l*. A five-pound piece of Charles the First, 40*l*. 10*s*. An Oxford crown piece, with a portrait of Charles the First on horseback, and a view of the City of Oxford under



the horse, 69*l*. A twenty-shilling piece of Charles the First, 14*l*. Queen Elizabeth's ryal in gold, 117 grains, 21*l*. 10*s*. Queen Mary's ryal in gold, 63*l*. Edward the Sixth's pound sovereign, 14*l*.

The sale of books by public auction during the present year has been unexampled in the amount they have produced. Those sold by Mr Evans alone have realized nearly 50,000*l*.

#### CABINET OF STANDARD WEIGHTS.

The commercial and scientific world will learn with satisfaction that the standard weights of foreign countries, which were some time since transmitted to the British Government and compared with English standards, have been lately deposited at the London Mint, in a commodious cabinet constructed for the purpose, where they are to be carefully preserved, for permanent references. This national collection is the first of the kind ever made on a great scale, though long considered a desideratum. Its utility, which has been already extensively proved, may be farther experienced when any of the standards in use, whether English or foreign, shall become worn or impaired.

The following account of this important collection is inscribed on the cabinet:—

“The foreign weights here deposited, having been duly verified, were transmitted to London, in the year 1819, by the British Consuls abroad, in pursuance of a general plan for comparing the Weights, Measures, and Monies of all trading countries by official experiments on verified standards. The experiments were made by Robert Bingley, Esq. the King's Assay Master of the mint; and the calculations by Dr Kelly, who planned and conducted the general comparison, and in 1821 published the

results in the Universal Cambist, under the sanction of his Majesty's Government. The undertaking was originally patronised and recommended by the Board of Trade. The standards were procured from abroad by circular letters issued by Viscount Castlereagh and Earl Bathurst, Secretaries of State for the Foreign and Colonial Departments; and the whole plan was essentially promoted by Lord Maryborough, Master of the Mint.”

The Board of Longitude have conferred the Parliamentary premium of 500*l*. on Mr Peter Barlow, of the Royal Military Academy, for his method of counteracting the local attraction of vessels. The great quantities of iron employed at this time in the construction and equipment of ships of war, produce so much deviation in the compass (varying according to the direction of the ship's head) as to render it almost an useless instrument, particularly in high Northern and Southern latitudes. It appears by Lieutenant Foster's report of experiments made in his Majesty's ship Conway, under the superintendence of Captain Basil Hall, to lat. 61. S. and under that of Capt. Clavering, in the recent voyage of the Griper, to lat. 80 deg. North, that the difference in the bearing of an object with the ship's head at east and west, amounted to 26 degrees before the latter vessel left the Nore; this difference afterwards amounted to 50 degrees at the North Cape, and to 75 degrees at Spitzbergen. Great, however, as this effect was, the method recommended by Mr Barlow was completely successful. This is extremely simple; it consists in merely placing a small piece of iron abaft the compass, in such a situation as to counteract the effect of the ship in any one place; after which, without removing it, it continues to do the same in all parts of the world, whatever change may

take place in the dip of intensity of the magnetic needle. Three important advantages will result from this discovery :—It will add greatly to the safety of vessels in our channel, in dark and blowing weather ; it will tend to the general correction of our charts of variation ; and will dispel nine out of ten of the suppositious currents, so liberally supplied by navigators, to account for every remarkable disagreement between reckoning and observation, and of which there can be no doubt the greater number have arisen from this long-neglected error in the compass.

—The learned President of the Royal Society, Sir Humphrey Davy, Bart. in a paper of the cause of corrosion and decay of copper used for covering the bottoms of ships, read before the Society, pointed out a simple, effectual, and economical method of remedying this evil. The cause, he ascertained, was a weak chemical action, which is constantly exerted between the saline contents of the sea-water and the copper, and which, whatever may be the nature of the copper, sooner or later destroys it, which is thus noticed in the last Number of the Philosophical Magazine :—

“ The same general principle of the manner in which chemical changes may be exalted, destroyed, or suspended, by electrical powers, which led him to the discovery of the decomposition of the alkalis and the earths, likewise afforded him this new and more practical discovery. He finds that a *very small* surface of tin, or other oxidable metal, anywhere in contact with a *large* surface of copper, renders it so negatively electrical, that sea-water has no action upon it ; and a little mass of tin brought even in communication by a wire with a large plate of copper, entirely preserves it. By the desire of the Lords

of the Admiralty, he is now bringing this discovery to actual practice on ships of war. It is needless to point out the uses and economical advantages of a result which must add so much to the permanency and strength of our navy and shipping, and be so beneficial to our maritime and commercial interests.”

Sir Humphrey was engaged, during the months of July and August, in pursuing various philosophical researches along the coast of Norway, Sweden, and Denmark, for which the Admiralty granted him the use of the Comet steam-boat. He ascertained, we understand, that his principle of preserving the copper sheathing of ships by the contact of 1-200th of iron succeeds perfectly in the most rapid sailing, and in the roughest sea. During this expedition, Dr Piarks has connected, by chronometrical observations, the triangulation of Denmark and Hanover with that of England ; and, by the desire of the Admiralty, various points of longitude have been determined by their chronometers, of great importance to navigation ; amongst others that of the Naze of Norway.

#### THE GLOW-WORM.

Mr John Murray, in a communication recently made to the Royal Society, on the luminous matter of the Glow-worm, states some curious facts as the result of his own observations and experiments. He shows that this light is not connected with the respiration, nor derived from the solar light ; that it is not affected by cold, nor by magnetism, nor by submersion in water. Trials of submersion in water, in various temperatures, and in oxygen, are detailed. When a Glow-worm was immersed in a carbonic acid gas, it died, shining brilliantly ; in

hydrogen it continued to shine, and did not seem to suffer. Mr Murray infers that the luminousness is independent, not only of the respiration, but of the volition and vital principle. Some of the luminous matter obtained in a detached state, was also subjected to various experiments, from which it appears to be a gummo-albuminous substance, mixed with muriate of soda, and sulphate of alumine and potash, and to be composed of spherules. The light is considered to be permanent, its eclipses being caused by the interposition of an opaque medium.

Several coins have been lately dug up at the recently discovered Roman villa, at Wiginton, the seat of G. Cobb, Esq. in Oxfordshire. They are all, we understand, of the Lower Empire; and those we have seen are small brass, and, for the most part, in a very bad state of preservation. The following are the only ones we have been able to decipher:—Two of Constantine the Great, struck about the year 308, and, as appears by the letters on the reverse, at the mint in London, erected by that monarch. On the obverse is the legend *CONSTANTINUS AVG.*; and on the reverse, *S. P. LON.*—One of Flavius Julius Crispus Cæsar, son of Constantine the Great, who was poisoned by order of his father, Anno Dom. 326. On the obverse is the legend *CRISPUS NOBIL. C.*; and on the reverse, an altar with a globe upon it, and *VOTUS XX.* On one side of the altar is the letter *F.* and on the other *B.*; the whole is surrounded with the epigraphe *BEATA TRANQUILLITAS P. LON.* (*P. LON.* is an abbreviation of the words *Pecunia Londinensis.*) And one of Constantine the Second, (coined about the year 389.) On the obverse is the legend *CONSTANTINUS JUN: NOB: C.*; and on the reverse, a building surmounted with a star.

## LORD BYRON.

The following particulars relative to the destruction of Lord Byron's account of his own life, have been published:—

“About the middle of the year 1821, Mr Moore received from Lord Byron the manuscripts of his life. It was written on detached sheets of paper, and was evidently not a second copy. It contained his Lordship's remarks on his conduct and feelings, from the earliest period of his recollection, down to the year 1816; and explained many of those circumstances on which the public had most speculated. It is well known, and delicacy need not withhold an allusion to the fact, that Mr Moore was, when he received it, in considerable pecuniary difficulties, and that the motive of the gift was, to enable him to return to the country from which he was an unwilling exile. Mr Moore first offered it to Messrs Longman, who declined purchasing it on any terms. Mr Murray bought the manuscripts for the sum of two thousand guineas; and his friends say, that his chief reason for doing was to second the views of the noble Lord on behalf of the exiled poet. There is some ground for this assertion, when we recollect that Lord Byron was likely to outlive Mr Murray many years, and that the work could only be of use to the heirs of the latter gentleman. It will be remembered, that the publication was prohibited until three months after Lord Byron's death. It was in November 1821, that Mr Moore received the money. About 12 months afterwards, Mr Moore called on Mr Murray, and stated to him that the production in question contained much that would be equally prejudicial to the character of the

Noble Lord, and to his own, and applied an expression to the work which we decline quoting. He therefore requested Mr Murray to empower him, by a bond, to make such alterations as he might deem necessary, and to be appointed the editor whenever the work should be published. To this Mr Murray agreed, but demanded from Mr Moore a bond for the 2000*l.*, to secure him the money he had paid for the work, in case Mr Moore should alter it as to render it an unprofitable speculation. Mr Moore agreed to the proposition; the bonds were given, and thus the case stood until February 1824, when Mr Moore brought the assignment of the work, which had not been previously delivered. Mr Murray then stated to Mr Moore, that he was dissatisfied at the power he had given of altering the work according to the ideas of the latter, and that he wished either to get back the bond which empowered him so to do, or to cancel the agreement, and to deliver the work on receiving the 2000*l.*; alleging as his reason, that "he did not wish to be the keeper of Lord Byron's honour." Mr Moore said, that he would choose the latter alternative, and promised to call in a week with the money, to receive back the work. This Mr Moore deferred; at any rate, this he did not do. On the 14th of May, the news of Lord Byron's death arrived, and on the evening of that day Mr Moore called on Mr Murray, whom, however, he did not see. The next day Mr Murray went to Mr Wilmot Horton, the friend of Lady Byron, and stated to him all the circumstances connected with the affair. Mr Wilmot Horton was satisfied to refund Mr Murray the sum advanced, and to have the work destroyed. Subsequently the parties met at the house of Mr Hobhouse, where Colonel Doyle

appeared as the friend of the Honourable Mrs Leigh, Lord Byron's sister, and it was agreed to destroy the work. Mr Moore objected to the right which Mr Murray claimed over it, and asserted that it was his property. Mr Murray denied this claim, on the ground that the bond given by him to Mr Moore, only allowed him to withdraw the work, and to return the money, any time *before* Lord Byron's death, but that *after* such an event, it was to be exclusively Mr Murray's property. The day after, the parties met together at Mr Murray's house, viz. Mr W. Horton, Mr Hobhouse, Col. Doyle, Mr Moore, Mr Luttrell, and Mr Murray. Mr Murray then declared that he had no claim whatever on Mr Moore, for the sum paid that gentleman, while Mr Moore persisted in his right to the work. It is asserted, that Mr Moore did not mean, to have it destroyed, but this we do not for a moment believe. Be it as it may, the production was torn and burnt in the room of Mr Murray; and burnt, as our informant states, without the consent of Mr Moore. The circumstance has since been the topic of much conversation in the higher circles, and each of the parties has been considerably blamed by the friends of the other. Although we have stated these facts, and again repeat that we have them from the best authority, we do not wish to comment on them; we think it, however, our duty to mention, that the gentlemen alluded to, expressed, in the highest terms, their sense of Mr Murray's conduct, as a gentleman and a man of honour. This much is certain, that, if Mr Murray had chosen to publish the work, he would have made a fortune by it; and that, in sacrificing his interest to his principles, he has acted as few tradesmen would have done. We are certain that Mr Mur-

ray received for the work no more than he paid for it."

#### MONUMENT TO THE LATE MR WATT.

At a Meeting, held 18th June, 1824, at the Freemasons' Tavern, to consider the propriety of erecting a Monument to the late James Watt,

The Earl of LIVERPOOL, K.G. in the Chair,

The following Resolutions were unanimously passed :—

1st, That the late James Watt, by the profound science and original genius displayed in his admirable inventions, has, more than any other man of this age, exemplified the practical utility of knowledge, enlarged the power of man over the external world, and both multiplied and diffused the convenience and enjoyments of human life.

2d, That these benefits, conferred by Mr Watt, on the whole civilized world, have been first and most experienced by his own country; which owes a tribute of national gratitude to a man who has thus honoured her by his genius, and promoted her well-being by his discoveries.

3d, That a monument be erected to his memory, either in the cathedral Church of St Paul, or in the Collegiate Church of St Peter, Westminster; and that a subscription for that purpose be forthwith opened.

4th, That the following noblemen and gentlemen be a committee, five of whom shall be competent to act :—

Earl of Liverpool  
Earl of Aberdeen  
Sir Humphrey Davy, Bart. P.R.S.  
Right Hon. Robert Peel, M.P.  
Right Hon. G. Canning, M.P.  
Right Hon. F. Robinson, M.P.  
Right Hon. Wm. Huskisson, M.P.  
Sir John Wrottesley, Bart. M.P.  
Sir Thomas Lawrence, P.R.A.

Sir James Mackintosh, M.P.  
Sir Isaac Coffin, Bart. M.P.  
Sir Walter Scott, Bart.  
Sir Robert Peel, Bart.  
C. H. Turner, Esq.  
M. R. Boulton, Esq.  
Hon. Heneage Legge, M.P.  
E. J. Littleton, Esq. M.P.  
Henry Brougham, Esq. M.P.  
Davies Gilbert, Esq. M.P.  
T. Frankland Lewis, Esq. M.P.  
Francis Lawley, Esq. M.P.  
D. S. Dugdale, Esq. M.P.  
Matthias Attwood, Esq. M.P.  
George Philips, Esq. M.P.  
George Philips, jun. Esq. M.P.  
Alexander Baring, Esq. M.P.  
J. F. Kennedy, Esq. M.P.  
Sir James Graham, Bart. M.P.  
Thomas Murdock, Esq.  
Francis Jeffrey, Esq.  
Francis Freeling, Esq.  
William Cotton, Esq.  
John Kennedy, Esq.  
H. H. Birley, Esq.  
Sam. Boddington, Esq.  
Richd. Sharp, Esq.  
Wm. Mylne, Esq.  
James Walker, Esq.  
G. H. Freeling, Esq.  
Joshua J. Smith, Esq.  
William Strutt, Esq.  
George Barker, Esq.  
George Rennie, Esq.  
Thomas Telford, Esq.  
Rev. John Corrie  
G. A. Lee, Esq.  
Peter Ewart, Esq.  
Benjamin Gott, Esq.  
Kirkman Finlay, Esq.  
Josiah Wedgewood, Esq.  
John Bolton, Esq.  
James Watt, Esq.

5th, That Messrs Spooner, Attwoods, and Co. be their Treasurers, and that books for subscriptions be opened at their banking-house, and also at Messrs Coutts.

(Signed) LIVERPOOL, Chairman.

The Earl of Liverpool having left the chair, it was unanimously resolved,

6th, That the thanks of this meet-

ing be presented to the Earl of Liverpool, for his dignified conduct in the chair; and that this meeting has heard with respectful gratitude the gracious communication which his Lordship has been authorized to make.

C. H. TURNER, Chairman.

#### EDINBURGH SCHOOL OF ARTS.

A meeting was held in Oman's Tavern on the 9th June, of the subscribers to the School of Arts, the Lord Provost in the chair. The meeting was numerous, and highly respectable. Among the gentlemen present were—Sir Walter Scott, Dr Chalmers, Mr Jeffrey, Mr Cockburn, Mr Earl, chairman of the Board of Customs, Professors Leslie and Pillans, Bailie Waugh, Mr J. A. Murray, Mr Forsyth, Mr Sheriff Wood, &c.

Mr Leonard Horner read a luminous and highly satisfactory report of the state of the institution, at the close of the third session. It mentioned generally the prosperous state of the School of Arts, and alluded to the establishment of similar institutions in different parts of the empire, as showing the growing conviction of their utility among all classes. The directors had paid attention to all the new plans and suggestions brought forward in organizing these kindred establishments, but with every disposition to make any change that might be advantageous, they had not found it necessary to make the smallest alterations. Assuming, what is abundantly obvious, that an industrious mechanic has but a limited portion of spare time, it showed that the proper object of such an institution was to supply him, as completely as possible, with that sort of knowledge which would be really useful to him, rather than to undertake to teach him a great

many branches of science, which would distract his attention by their multiplicity, and greatly increase the expense of the establishment, without increasing its utility. About thirty lectures were given on chemistry, and as many on mechanics; and it was found that a really substantial knowledge of these sciences could not be communicated in a smaller compass. These lectures, given at the rate of one per week, required a session of seven months. Dr Fyffe's chemical lectures had been nearly the same each year, but next session it was intended to give a separate short course on the chemical arts—on dyeing, tanning, bleaching, brewing, distilling, and some others. The whole number of students was three hundred and seventeen, of whom eleven had attended the first session, 36 the second, and 49 the first and second. From 150 to 200 had attended the mathematical class. In teaching geometry, much advantage had been found from the use of models, and in teaching arithmetic pains had been taken to make the students comprehend the *rationale* of every rule and operation—a mode of instruction which had great advantages over the common empirical plan. Mr Wilson, too, had introduced into his course a view of the doctrine of chances, a subject entirely neglected in elementary works, though really of great utility. He had shown its application to insurances on property and lives, and to the management of benefit societies. Mr Dick had conducted with great ability the class for architectural drawing, which had been attended by thirty students—a great number for one class, when the mode of instruction is considered. There was to be a short course on the same subject during the summer. Regret was expressed that a more particular account

could not be given of Mr Buchanan's valuable lectures on mechanics, as that gentleman's separate report went too much into detail to be incorporated with that of the directors. It was stated farther, that in all the classes the attention given, and the progress made, had been most gratifying, that many of the exercises performed by the students displayed great ability, that their demeanour throughout had been most correct and orderly, and that some of them had got situations in consequence of their acquirements in science, which would have otherwise been beyond their reach. Finally, the report stated, that the library, which now included 750 volumes, (100 being added last season) was found to be a most valuable auxiliary to the lectures. The directors were more and more impressed with the propriety of confining it to works on science and art; and had refused several donations, solely because they consisted of books which had no specific reference to the purposes of the institution.

Dr Chalmers entered at considerable length into the merits of such institutions. He then glanced at the success of Watt, who, by his genius and knowledge, had raised himself to the society of the nobles of the land. He sketched a glowing picture of the happiness of spreading the lights of philosophy on humble life. It was useless, he said, to talk that it would raise them from their proper sphere, for it would be as difficult to change the geography of a nation, as to remove any class from its situation in society; for, while the world endured, the great mass of the people must necessarily be composed of the artisan and mechanic. He passed a high eulogium on his young friend, the Rev. Andrew Wilson, the lecturer on mathematics, and concluded by moving

that the report read by the secretary be approved of, printed, and circulated among the subscribers.

Sir Walter Scott briefly seconded the motion. He said that he considered it equally criminal to hide knowledge from the people, as to hide the sun from their eyes; and expressed his high approbation of the principles which had been so eloquently explained by his reverend friend.

Mr Jeffrey moved that the thanks of the meeting should be given to D. Fyfe, Mr Buchanan, and the Rev. Andrew Wilson, for the obligations the society was under to them; for when were considered the small sum they received for their labours, and the many hours spent in preparing the experiments, they would be found to be the greatest contributors.—Mr Nairne, W.S. seconded the motion.

Baillie Waugh moved that John Wood, Esq. advocate, and Mr Samuel Morton, agricultural implement maker, be elected in the room of the two directors who go out by rotation; which was seconded by Mr Henry Cockburn, advocate.

Mr Forsyth, advocate, highly complimented the institution, which he considered highly patriotic; for whatever benefited and raised the humble and hard-working artisan, was of national importance. He concluded by moving the thanks of the meeting to the directors, for the great care with which they have watched over the institution.

Mr Cunningham, jeweller, moved the thanks of the meeting to Mr Leonard Horner, their secretary, which Mr Cockburn said was seconded, he believed, by everybody in the room.

The thanks of the meeting were then voted to the Lord Provost, for his able conduct in the chair, and the meeting, which had lasted an hour, broke up.

# CALEDONIAN HORTICULTURAL SOCIETY.

On Thursday, the General meeting of the Caledonian Horticultural Society was held in the Physicians' Hall, Dr Duncan, sen. in the chair, when eight new members were admitted; whereupon the chairman congratulated the society on this very respectable accession to its number, and proposed that his colleague Dr Alison, and Professor Wilson, should be entered in the list of candidates for admission.

The secretary then read the report of the council, which stated that they had awarded premiums as follows:—

1. For the best six kinds of apples, fit for the dessert at this season, to Mr John Gibb, gardener at Prestonskirk. Only one parcel of fruit had been lodged in competition, but these were of such quality as were considered deserving the society's silver medal.

2. For the three finest specimens of Camellia, to Mr Cunningham, Comely Bank, who had sent four varieties of this beautiful plant. No other competitor had appeared for this premium; and although Mr C. had already obtained a premium on a former competition, the present specimens were considered such as to justify the council in again awarding to him the society's silver medal. These plants were greatly admired by the members and visitors—among the latter several ladies. Three of the specimens were large healthy plants; one of them carried an uncommonly large pure white flower; another was also white, with a slight crimson tinge at the bottom of the petals, having a strong resemblance to the maiden blush rose; the third variety carried a fine deep blood-coloured flower of the anemone form; and the fourth,

though the smallest plant, had its flowers in the greatest profusion—they were of a dark red and rich carmine, disposed within two concentric circles, the inner compartment occupied by the carmine, and the exterior ring by the dark red, the surface of the flower being nearly divided between its beautiful hues.

No specimens of fine erica were lodged for competition, which was attributed to the boisterous state of the morning.

A fine specimen of forced rhubarb stalks was produced to the meeting, accompanied by an account of the mode of raising them, by Mr James Smith, gardener at Hopetoun House. This being a new mode of treating this important vegetable, which brings it into use at a season when few others are to be had, the society awarded to Mr Smith an extra silver medal.

A communication from Mr Stewart Murray, superintendent of the Botanic Garden of Glasgow, which accompanied a handsome present by him to the society, of apple and peach trees from America, was read. The council had applied to Dr Graham, Professor of Botany, who consented to retain them in the Botanic Garden, until the Experimental Garden of the society should be prepared to receive them; and they are now under the charge of Mr Macnab.

Dr Duncan remarked, that this was a fine stock to begin with, and he hoped he would soon have the happiness to see them in the garden of the society.

The report of the council relative to the Experimental Garden was then read; it estimated the annual surplus of the society's income at 100*l.*, and proposed that the garden should not be commenced until a separate fund of 3000*l.* be raised; it estimated 300*l.* annually as necessary for keeping up the garden.



Dr Duncan felt sanguine in the hope, that if the report were adopted, and the garden proceeded with, it would be of the greatest benefit to horticulture, for the society might then improve the qualities of the various vegetables, from the useful potato to the luscious pine apple; and if begun even with their present surplus of 100*l.*, a considerable addition would soon be obtained by the sale of shares.

Mr Allan asked whether government had it in their power to withdraw the lease of the ground?

Mr Jardine said, government had granted the lease for the benefit of the society, and it was not at all likely they would withdraw the lease; it had been granted only for eight years, but was renewable, and the society might have it so long as they wished to retain it.

Mr Nairne approved most highly of all that had been done by the council, and was so satisfied of the propriety of having an experimental garden, that, in order that it might go rapidly on, he would be happy to have two shares instead of one, for which he had before subscribed.

Several other of the gentlemen present, among whom were Lord Gray and Lord Succoth, took shares of the garden, and the whole number now subscribed for is upwards of one hundred and twenty, and which will produce a fund exceeding 2500*l.*

A garden committee was then appointed, and empowered to proceed in collecting the subscriptions, and enclosing the garden. The meeting was then dissolved.

#### EDINBURGH ACADEMY.

This institution is now in a state of great forwardness. The buildings are nearly completed, and the school is fully expected to open on the 1st or

October. The directors have published a statement of their plan, which appears to be drawn up with much care and ability, and to take at once a comprehensive and minute view of all the objects to be embraced by such a seminary. The High School of this city, which has deservedly obtained so great a reputation, is taken as the general model; but the following modifications are to be introduced into its mode of teaching:—

1. A more extended instruction in Greek, by all the masters.

2. In addition to the four under-masters, a master for English, who shall have a pure English accent; the mere circumstance of his being born within the boundary of England, not to be considered indispensable. The object of this appointment is to endeavour to remedy a defect in the education of boys in Edinburgh, who are suffered to neglect the cultivation of their native language and literature, during the whole time that they attend the grammar schools, and in most cases to a much later period. It will be the duty of this master to give instruction in reading, elocution, and modern history. The chief part of his time will be devoted to the boys of the 1st and 2d classes; but he will also give instruction, during a portion of each week, to all the other classes in succession.

3. A regular attention to geography in all the classes.

4. The writing-master is to be bound to provide assistants in proportion to the number of his pupils, so that each teacher shall not have more than 35 boys under his care at one time.

5. Arithmetic is to be taught by a separate master, who is to be a well-educated mathematician, and who is to provide assistants, in like manner, in proportion to the number of his pupils.

6. The boys of the highest class are to be carried as far in the elements of algebra and geometry as their time and previous knowledge will allow.

The crowded state of many of the classes in the High School having been one of the causes which led to the establishment of the academy, we have thought proper to fix a limit to the admission of scholars. We propose that the number in each of the four junior classes shall not exceed 10, and that the rector's class shall not exceed 160, making the total number at the school 600, unless when,

by the union of the boys of the 6th year with those coming to the rector from the 4th class, his class shall exceed 160. If, by that union, his class amounts to 160, he is not to be permitted to increase it by boys entering at the school for the first time from other seminaries.

The fees are stated to have been fixed as low as was consistent with the efficiency of the academy, and with the necessary expense of a school established by private subscription. The following detailed statement is given:—

1st Class.	English, 5s. per quarter,	£1 0 0	
	Latin and Geography, 15s.	3 0 0	
	School fee,	2 2 0	
		<hr/>	
		£6 2 0	
2d Class.	Same instruction,	£4 0 0	
	School fee,	3 3 0	
		<hr/>	
		7 3 0	
3d Class.	Latin, Greek, Geography,	£4 4 0	
	English,	0 10 0	
	School fee,	3 3 0	
		<hr/>	
		7 17 0	
4th Class.	Same as 3d,	7 17 0	
5th Class.	Same as 4th,	7 17 0	
	Under master,	0 10 0	
		<hr/>	
		8 7 0	
6th Class.	Same as 5th,	8 7 0	
		<hr/>	
		£45 13 0	
		<hr/>	
	Average of 6 years.	£7 12 2	

If the boys attend writing and arithmetic, the entire expense will be raised to 9*l.* 12*s.* 10*d.* At the High School, the expense for all these branches averages 6*l.* 18*s.*, making an annual difference of 2*l.* 14*s.* 10*d.*

The following are the qualifications of which the candidates for the place of master are required to give proof.

1. The age of the candidate.

It is highly desirable, in an establishment such as this, especially

where a new system is to be organized, that the masters should be in the full vigour of life, not only on account of the present activity that will be required, but to afford a greater security of their remaining long enough to mature the system, and see it firmly established.

2. Testimonials of moral character, and *most particularly of temper.*

3. Where he has received his education.

4. Whether he has gained any literary honours at any of the universities.

5. Whether he has had any experience in teaching, where, of what kind, and to what extent.

6. Whether he can name any persons whom he has taught, who have afterwards distinguished themselves by their attainments, either at the universities or elsewhere.

7. To name persons to whom the directors may make personal application for such farther information as they may require.

8. Whether he belongs to the church, or has any views to that profession.

Before engaging any master, it will be absolutely necessary for the directors to ascertain that his general health is good, that he is not subject to attacks of any violent disease, such as fits, and whether he has any marked natural deformity, and what that is.

Supposing the number of boys at the school 600, the English master will have 460*l.* a-year; each of the under-masters an average of 466*l.*; the rector 772*l.*; and the teacher of arithmetic 369*l.* If the number be only 500, these sums will be proportionally less. For four years at the beginning, the rector is to be secured in 400*l.*, and each of the junior masters in 200*l.* The masters may be dismissed, if judged necessary, by a vote of two-thirds of the directors.

*Edinburgh, Oct. 1.*—Yesterday forenoon, the new academy, built by subscription, near Stockbridge, was opened for the first time. The boys, with their teachers, assembled in the different class-rooms at 11 o'clock, and shortly after proceeded to the elegant hall, of an oval shape, in the centre of the building, the gallery and the body of which were crowded with

gentlemen, of whom upwards of 500 were present. The teachers took their places at a table in the centre, and the boys were seated around them. About one o'clock the Directors entered the hall, accompanied by a number of gentlemen, among whom we observed Sir Patrick Murray, Sir John Hay, Sir George Clerk, Sir Robert Dundas, Sir Henry Moncrieff, Sir John Sinclair, Bishop Sandford, Henry M'Kenzie, Esq. James Moncrieff, Esq. Henry Cockburn, Esq. C. M'Kenzie, Esq. Rev. Dr Davidson, &c. &c. Sir H. Moncreiff was requested by the Directors to open the Academy by prayer. The reverend baronet then offered up a most impressive and eloquent prayer for the success of the institution, which was intended for the instruction and training of youth, and that the same good effects might follow which had attended the various schools of our nation; that the youth who might be reared in successive generations in this school might be a consolation to their fathers, and that from this seminary men might arise who should fill stations worthy of the education they had received; and that when the present generation were gathered to their fathers, the institution might long flourish, and remain a monument of the liberality and spirit of those who had erected it.

Sir WALTER SCOTT then rose. He said that the Directors had thought it necessary that some account of the institution should be given to the meeting, and had imposed upon him that duty. He wished that such a task had fallen to the lot of some other person better qualified than he was for the performance of it, but, as it was, he would attempt to discharge what had been imposed upon him. In such a meeting as this he need not explain the advantages of educa-

tion, it transferred gradually one age to another, carrying along with it all their improvements. Our ancestors little supposed that we would achieve such vast and wonderful discoveries in every branch of science and the arts, and yet, from the spread of education, it may be that our successors may look upon the 18th and 19th centuries as we do upon the 14th and 15th. He need not repeat what is well known, that we owe much to the foresight of our ancestors—the bloody sword of civil strife had scarcely been sheathed, when they sat down to devise and put in practice means for the instruction of their successors. We here are imitating their example—the bloody sword is now sheathed, and may it long continue so; let us therefore go on in the work we have begun, and as it has been said that education is a torch, let this institution be an evidence that we have lighted it for the direction of our successors. King James, who, with all his failings, did many praiseworthy actions, founded the excellent school in this city. It has become clearly evident, however, that it alone is inadequate to the great increase of the city, which, since the school was founded, is six times more populous. The great number of private schools taught by learned individuals, showed clearly the necessity of the establishment of this institution. With respect to the High School, it had been imagined by some that this seminary had been set on foot for the purpose of injuring it. He had been educated in the High School, and had a veneration for it, and he was certain and confident every one connected with this institution was actuated by no such unworthy motives as that ascribed to them. It was to institute a rivalry—a rivalry among scholars—a rivalry among those who will one day be ornaments of the nation, and be the best de-

fenders of their country. The Directors would have been well contented to have formed a union, but the obstacles were of such a nature as to be insurmountable. He was of opinion the competition would be attended with the best effects, and hoped that Palinurus would not nod at the helm when he saw another vessel in view. The general necessity of the erection of this institution was so apparent, that he trusted the meeting would applaud those gentlemen who had taken an active part in the management, and also the architect for the elegant design which he had raised, and those gentlemen who had gratuitously given their time in superintending and directing the affairs of the institution. The learned baronet paid a handsome compliment to the talents of the different teachers. The institution, he said, was indebted to Oxford for one of her best scholars, a gentleman in the prime of life. Scotland was particularly distinguished as containing the best-informed men of any country, but it was also remarked that she had produced few classical scholars. It was a saying of Dr Johnson, that she was like a besieged city, where every man had a mouthful, but no man a bellyful. It was surely, however, better to have a mouthful than to starve. With a view to wipe off this reproach, the Directors had made arrangements, and they trusted that, by the means they had adopted, the scholars would be better grounded in the languages, to fit them for the Universities, and particularly in a knowledge of Greek, and this at a time when their poetry was hallowed, and the liberty of that interesting country was almost achieved. It was also intended to improve the study of mathematics. Another class, which was a new one in our seminaries, was one of English literature, the principal

object of which is to connect the English with the learned languages, and by this means the pupil would become acquainted with the history of our country. He highly approved of this plan: it was proper to know the Roman and Grecian history, but the history of this country, to our students, was of paramount interest. He would have the names of Wallace and Bruce placed alongside of Miltiades and Themistocles, and he would have Flodden and Bannockburn placed with Marathon and Plataea.—The learned baronet then turned to the youth assembled, and addressed them, pointing out the great advantages which education held out. He pressed upon them to prosecute their studies with their whole souls, for unless they gave up their whole minds to study, the labours of their teachers would be useless. To whatever profession they might incline, unless they possessed learning, they could never rise to eminence. A physician without learning, was a quack; a lawyer without learning, a mere formalist, and altogether unworthy of his profession; and a clergyman without learning, was like a soldier without a sword.—The surest road to temporal happiness was a well-cultivated mind. If they went abroad, learning would prove a solace in their hours of retirement. They were now entering into life, and he trusted they would remember that a man, not young in years, endeavoured to impress upon their minds the value and importance of education. The learned baronet was frequently applauded in the course of his speech, and sat down amid loud cheering.

The Rev. J. Williams, the rector, rose. He said that, after the eloquent prayer and luminous explanation they had heard, nothing but an official call would have induced him to intrude upon the attention of the meeting, to

endeavour to give a faint outline of the study to be followed. To inspire in the minds of the students a love of the classics of Greece and Rome, who had left imperishable monuments for the imitation and instruction, not only of our age, but of all nations, to teach them to imitate the intellectual giants who have gone before us, would be the objects of their utmost attention. It was intended to make Latin the groundwork of their instruction. They were not to make any innovation, but surely the country of Crichton and Buchanan should be eminent in Latin literature. They were to teach Greek by means of the English language, and not by the method now followed of teaching it by a Latin jargon. The English language was to be attended to by a gentleman who was to teach its principles. In all the branches he trusted they were so complete, that they might be said to be a self-contained house. From what he had seen of his coadjutors, he felt assured, that the subscribers would not be disappointed in the formation of the academy. One boon he asked, that the public would not be hasty in their censure or their applause. He trusted, that in a short time, the academy would not shrink in a comparison with the greatest institution in the south, not even with Eton or the Charter House, and that it would be the means of reviving the days of Crichton and of Buchanan. He hoped that the genius of the Scottish youth, which had reposed in the portico of Grecian literature, would be awakened, and proceed into the interior of the temple. He flattered himself, that those educated in this place, would shed a lustre on it, and render it classic. He then addressed the youths, assuring them, that nothing should be wanting on his part to render them a credit to the country to which they belonged.

Mr Henry Mackenzie briefly ad-

dressed the meeting, but in so low a tone, that he was inaudible to the greater part of those present.

The boys then retired to their classrooms, after which the meeting broke up.

#### ROYAL LIBRARY OF PARIS.

This library, in 1791, contained only 150,000 volumes. At present, it comprises 450,000. In 1783 there were only 2700 portfolios of engravings: at present there are 5760. 6000 French works, and 3000 foreign, are added to it annually; so that, in all probability, this magnificent establishment, in the space of fifty years, will double its literary and scientific treasures.

#### SWITZERLAND

MM. Zumstein and Vincent have determined, by means of the barometer, that the elevation of the southern summit of Mount Rosa, which they had gained for the first time, was 13,920 Paris, or 1,483,564 English feet above the level of the sea; they ascertained, by a trigonometrical measurement thence made, that the elevation of the highest summit of the mountain was 1680 Paris feet above it, or 15,600 (166,264 English) above the level of the sea. Thus, Mount Rosa is in reality the highest in Europe; the height of Mont Blanc being only 14,793 Paris, or 157,084 English feet.

#### INSTITUTE OF FRANCE.

The first project of the great work, the Geodesic Operations in France, was conceived in the *dépôt-général* of war, or war-office; the ultimate object being to construct a comprehensive chart of the kingdom. The ad-

vantages of such a measure, carefully executed, had been fully shown to ministers by the author of '*La Mécanique céleste*,' in the Chamber of Peers, during the session of 1816.

The basis and mode of execution of this new chart were agreed on, by a special commission, created by a royal ordonnance of June 11, 1817. M. de la Place was at the head of this commission, which consisted of members belonging to the departments, or officers of the interior, of war, of the marine, and of the finances. In 1818, they were to proceed to the measurement of several principal chains of triangles, formed in the direction of the meridian, and of the perpendiculars to that direction, and thus lay down a rough draught of that immense net-work which was to be spread over France, and to connect with the meridian measured by Delambre and Mechain.

It is intended to procure a trigonometrical level of a number of remarkable points on the surface, also to calculate their elevation above the sea, and to mark out their position by limits.

The astronomical observations are made with instruments of the largest dimensions. No other office but the *dépôt* of war was in possession of such a collection, so complete for all geodesical purposes. The circles and theodolites have been finished by the most skilful artists.

This geometrical description of the kingdom, essentially connected with the meridian of Dunkirk, is intended, in general, to verify or bring uniformly together various other plans, so as to form a new topographical chart, of a description much superior to all preceding ones.

In a notice relative to the labours of the French engineers in Italy, from the year 1801 to 1814, by M. Francœur,

it appears that the special object of these geodesic operations, in Upper Italy, was to construct a general chart of the whole peninsula, then, together with other adjacent countries, under French domination; also to furnish bases for topographical plans in the latter. The chief engineer was Colonel Brossier, who had Italian as well as French coadjutors; their sphere of action reached from the Alps to Rome.

A continued series of triangles, of the first order, stretched over the entire superficies of Upper Italy, in that part which reaches from the Alps to the Apennines, and from the river Sesia to that of Isonza. This mathematical net-work projects its ramifications into Piedmont, into the canton of Tesin, the territories of Genoa, Parma, and Placentia, as also into Istria, and the Gulph of Quarnero. It, moreover, includes trigonometrical operations made at Rome and the surrounding districts, to verify or correct the ancient triangulations of Lemaire and Boscovitch, as it had been found necessary to rectify one part of them in the march of Ancona.

The basis of departure is in a heath, on the left bank of the Tesin, the same as was adopted by the Milanese astronomers in 1788. The spire of the dome of Milan forms the capital point of several chains of about a hundred triangles. One of these goes to Rimini, another to Verona and Mantua, in a direction perpendicular to the meridian of Rome; a third reaches to Venice, a fourth goes from Rimini to Padua, a fifth reaches to Rivoli, and a sixth to Turin. A most exact agreement subsists between the measurements of the French engineers and those of M. de la Zach, in Friuli and Carinthia.

One advantage resulting from these labours is the discovery of material errors in the ancient measurements

of an arc of the terrestrial meridian, executed fifty or sixty years ago, by Boscovitch, in the Roman States, and by Beccaria, in Piedmont. It was at the recommendation of the French Academy of Sciences; the charges were defrayed by the King of Sardinia and the Pope.

The French geographers, by extending the arc of Boscovitch from Rimini to the north of Venice, have obtained a new valuation of the degree of the meridian of Italy. The labours of Beccaria are much inferior in correctness to those of Boscovitch. M. de la Zach has performed several geodesic operations on the same points as Beccaria, and his results are proved to be accurate. Those of Boscovitch and Beccaria have long been considered as models of a perfection to which they are not entitled.

#### VOYAGE OF DISCOVERY.

Accounts dated in May last have just been received in Paris from the French Maritime Expedition commanded by Capt. Duperrey. They contain some interesting details on nautical and magnetical observations, and announce the discovery of four Islands, in what the French call the Dangerous Archipelago; to which they give the names of Clermont-Tonnere, Lostanges, Angier, and Frennet. The inhabitants could not be induced to have any intercourse with the voyagers. Driven thence by stress of weather, they proceeded to Otaheite, where they witnessed the happy change that has taken place in the morals of the natives since the introduction of Christianity. Idolatry, human sacrifices, polygamy, and child-murder, are now unknown among them; and many exhibit great fervour in the profession of Christianity.

## SOCIETY OF SCOTTISH ANTIQUARIES.

At the anniversary meeting of the society of Scottish Antiquaries, held at their Museum on the 30th ult., the following noblemen and gentlemen were elected office-bearers:—

*President.*—The right hon. the Earl of Elgin and Kincardine.

*Vice-Presidents.*—Sir John Hay, Bart.—Henry Jardine, Esq.—Lord Meadowbank.

*Council.*—Gilbert Innes, Esq.—Captain Boswall, R. N.—W. H. Anderson, Esq.—Dr Borthwick.—John Riddell, Esq.—Robert Stevenson, Esq.—Alex. Smellie, Esq.—E. W. A. Hay, Esq.—P. F. Tytler, Esq.

*Secretaries.*—Dr Hibbert, Thomas Kinnear, Esq.

Rev. Dr Brunton, Secretary for Foreign Correspondence.—R. S. Moncrieff, Esq. Treasurer to the Society. James Skene, Esq. Curator of the Museum.

Since the last anniversary the following new members have been admitted.

*Honorary Members.*—His Grace the Duke of Northumberland—the right hon. Lord Pridhoe.

*Ordinary Members.*—John Aytoun, Esq. of Inchdernie.—John Bonar, Esq. of Kimmerghame.—David Laing, Esq.; F. C. Parry, Esq.; Alex. Macdonald, Esq.; John Young, Esq. architect, Edinburgh.—Edward Wm. Auriol Hay, Esq. Stockbridge.—John Andrew, Esq. Newington.—Patrick Drummond, Esq. R. N.—Hector Macdonald Buchannan, Esq. of Ross.

*Corresponding Members.*—George Anderson, Esq. of Inverness.—Rev. H. T. Payne, of Llanbeder.—James Logan, Esq. of Mitcham, Surrey.

In the evening the members of the society sat down to an elegant entertainment at Barry's Hotel, Prince's Street; the first course being "after the manner of the ancients," that is, consisting of the oldest Scotch dishes.

The Earl of Elgin was in the chair, supported by Lord Meadowbank, Sir Walter Scott, Mr Hope Vere, and other gentlemen of distinction.

After the usual toasts were given, Lord Meadowbank, in a neat speech, proposed the health of the Earl of Elgin, a nobleman to whom every admirer of ancient sculpture was so greatly indebted for the exquisite monuments of Greek art with which his labours had enriched the National Museum of his country.

The President, in the impressive reply which he made, begged the company to consider him less as the direct contributor of these productions, than as the medium through which they had been obtained for Great Britain; remarking, that he had merely taken advantage of his official situation, at a time when the foreign politics of Europe required his presence in Greece, to use all the influence which he possessed in preserving these remains. The noble lord concluded his interesting address, in which he too modestly underrated the obligations which the country was under to him for his labours, by adding, that whatever tribute might have been given to him for his exertions on this occasion, there was none which he esteemed more than by being placed at the head of the Antiquarian Society of Scotland.

The noble President soon afterwards rose to propose the health of Sir Walter Scott, remarking, at considerable length, and in a jocular manner, that the honourable baronet was in some way or other connected with all the stock of information and utility (joint stock or otherwise) which was now attracting the attention of the country. Lord Elgin, for instance, observed, that he would notice one company, at the head of which Sir Walter stood—this was the Oil Gas Company; but in this instance, as his



lordship added, he might call himself a rival of the honourable baronet, inasmuch as he was deeply interested in the use of the rival commodity, *coal*. Yet he hoped that their competition in the desire of *enlightening* their fellow-mortals would always be a generous one; and that whether the honourable baronet patronized animal oil, fish or seal, vegetable oil, olive or palm, *palman qui meruit ferat*.

Sir Walter Scott, in briefly returning his thanks to the company, adverted to the observations of the noble chairman, and remarked, that he would yield to no man in his anxious wishes to promote the prosperity of this ancient city. He concluded by proposing—"Auld Reekie, and while she toasts her fingers at his lordship's coals, may she never burn her curch at her own fire."

Lord Meadowbank rose, observing, that as it was agreed by all, that we were greatly indebted to the author of *Waverley* for the antiquarian information contained in his productions, which were now so deservedly popular, it must be considered that a period may in the course of time arrive, when conjectures on the real name of the author will give rise to numerous erudite antiquarian researches and disquisitions, in which posterity will be engaged. For which reason he would beg leave to propose a health, which he had not the least doubt would meet with general approbation—the health of "The Great Unknown."

Sir Walter Scott soon afterwards got up, remarking that it was familiar to the company present that almost every year the Antiquarian Society of Edinburgh received most valuable presents, consisting of documents relative to the Orkney and Shetland Islands, from their old yet anonymous correspondent who signs himself A. Z. The society was therefore under

the greatest obligations to drink his health, and this he proposed, because much had been just now said about "The Great Unknown." Now, it was very possible, that under the self-same appellation of A. Z. the individual was concealed to whom the title of "The Great Unknown" most properly belongs. For when it is considered that, within the alphabetical limits of A. and Z. are included the various letters of our language, the real name of The Great Unknown may no doubt be traced among them.

The next health proposed was that of Mr Playfair, the architect of the truly classical structure now in progress on the Mound, in which apartments for the use of the Antiquarian Society are preparing. This gentleman, in returning thanks, said, that if he had been instrumental in directing the public taste in this city to the delicacies of the finer architectural specimens of Greek character, and if he should be thought to have succeeded in his attempt to adorn the city with a building of this description, he should feel that he had attained the highest reward which his profession could hold out to him.

The health of the Earl of Aberdeen, the president of the Antiquarian Society, was next drunk, in a manner which showed the high sense that was entertained of the interest which he has uniformly taken in the prosperity of the Antiquarian Society of Scotland.

A similar token of respect was paid to the different office-bearers of the Antiquarian Society; and upon the health of the Secretaries, the Rev. Dr Brunton, Dr Hibbert, and Mr Kinneir, being given, the latter gentleman, who officiated as croupier, adverted to the necessity there was of the members continuing to manifest the industry which they had, during latter sessions, shown, in prosecuting their researches; adding, that the Se-

cretaries could do little more than employ their time in giving effect to exertions, which must be expected to emanate from the zeal of the society at large.

The health of the Rev. Dr Jamieson, the well-known author of the *Scottish Etymological Dictionary*, who had for many years been Secretary to this Society, was drunk with much cordiality. The Rev. Doctor, we regret to say, was prevented, by indisposition, from being present at the meeting.

One of the last toasts given was—"The immortal memory of Jonathan Oldbuck," proposed by Mr Skene of Rubieslaw. It is almost needless to add, that this toast was drunk with all the respect which was due to such an illustrious character.

#### UNIVERSITY OF MOSCOW.

At the last General Assembly of the University of Moscow, its annual report makes mention of different acquisitions to the museum and the library. Also, among other particulars, a lithographic press has been established in the university. During the preceding twelve months, the committee of censorship had examined and approved 156 MSS., and the Committee of Inquiry had examined fifteen persons. Notice is taken of four district schools, five seminaries, and four private schools being set up in the course of the year. The number of the students in the University was 605; that of young persons under instruction, in the district schools of Moscow, amounted to 10,914. One doctor, four masters, 12 candidates, and 37 students, had quitted the University, into which had entered 141 students, 12 voluntary auditors, and 26 individuals, attached to the study of medicine. The professors, either mem-

bers or associates of the University, are in number 48. A donation or endowment of 5000 roubles has been made to the Foundling Hospital, to defray the University charges of two young persons that shall be found most proficient in Russian literature.

The following letter has been received from Grand Cairo :—"I have visited the Pacha, Mohammed Aly; he is about fifty years of age, and has a very expressive physiognomy. He plied me with a number of questions, in respect of the military force of the Persians, their regular troops, &c. and made inquiries as to the news of Bagdad. His interpreter is M. Bogos, an American, who appears to possess great influence with him, and is considered as a very intelligent character. I visited the arsenal, the manufacture of printed cotton stuffs, the printing-office, &c. The Pacha has introduced into these and other establishments, all the European machinery. He has also erected a telegraphic line between Cairo and Alexandria; by this conveyance, he receives and expedites intelligence from one city to the other in the space of an hour. An Englishman has brought here, from London, a steam-engine, and a drag to clean rivers and to fish with, but these are not yet prepared for use. The Pacha is now building a national bank, and an establishment for coining money. His liberality is boundless to affect the accomplishment of his schemes, and the activity of his genius is no less remarkable. Europeans are particularly employed by him, and constitute the principal objects of his encouragement. He is, in a word, become above all prejudices. His conduct excites much jealousy among the Beys, but he has signified to them, that if they do not approve of his system, they are at li-

berty to retire. He is now levying a numerous corps to be officered by Franks and Mamelukes, and recruits from peasants in the country, and with Arabs of Mount Libanus, whose chief has lately retired to Cairo; and, being under the Pacha's protection, has engaged to procure a certain number of warriors of that tribe, which boasts of having never been conquered. The Pacha has, moreover, employed agents to furnish him with nearly 500,000 European muskets. He has great projects in view, and unless intercepted by the treachery of the Turkish chiefs, he will no doubt finally succeed. The canal that he has lately excavated near Foa, on the Nile, is about sixty miles in length, and is considered a noble undertaking. Mohammed has also on the banks of the Nile a very elegant palace, in the Italian style. At present, he is decorating the fountains of his capital with lions, crocodiles, and columns of marble brought from Italy. The population of Cairo is about 300,000 inhabitants. The Pacha has erected in this city two colleges for the instruction of youth; he is also successfully propagating the vaccine inoculation."

M. the Abbé Halm is now publishing at Paris, from the Arabic, a French version, with the Latin text, of Ptolemy's great mathematical composition, called the *Almagest*. The work was extremely rare, and considered as *omni auro pretiosior*, from its illustrating many curious points in astronomy and sacred and profane chronology. This notification will be highly approved by eminent scholars in all countries, and the publication will become a valuable addition to the stock books of a truly learned description.

Mr J. Burton, who is employed by the Pasha of Egypt, in a geological examination of his territories, has made several important discoveries in the

desert to the eastward of the Nile, and along the shores of the Red Sea. In the Eastern Desert, and under the parallel of Syout, is a mountain called Gebel Dokham, (the hill of smoke.) The summit of Gebel Dokham is traversed by roads and paths which terminate in large quarries of antique red porphyry. Immense blocks, coarsely chiselled, lie about. Others, already squared, are upon props, marked and numbered. There are also an infinite number of sarcophagi, vases, and columns of a large size. At the side are some ruins of huts, and the remains of forges. At Belet Kebye, a village in ruins, in the valley on the south side of the mountain, Mr Burton found a circular well, twenty feet in diameter, and sixty feet deep. In the same village still stands a pretty little temple of the Ionic order, on the pediment of which is the following inscription: "For the safety and eternal triumph of our lord Cæsar, the august and absolute, and for those of all his house, this temple and its dependencies were dedicated to the Sun, to the great Serapis, and to the other Divinities, by Epaphroditus + + of Cæsar, Governor of Egypt. Marcus Ulpius Chresinius, superintendant, of the mines under Procoluanus." Mr Burton has collected, at Estiery, several inscriptions; among others this fragment:—

Ann. xii. imp. Nervæ Traiano  
Cæsari Aug. Germanico  
Dacico

P. I. R. Solpicius simium  
Præf. æg.

The quarries of vert antique, between Ghene and Cosseir, have also supplied him with a great number of inscriptions: which a mixture of Greeks and Hieroglyphics must render very interesting to those learned persons who employ themselves in interpreting the hieroglyphic language of the Egyptians.

## AMERICAN LITERATURE.

The publication of books is so much cheaper in this country than in Great Britain, that nearly all we use are American editions. According to reports from the custom-houses, made under a resolution of the Senate in 1822, it appears that the importation of books bears an extremely small proportion to the American editions. The imported books are the mere seed. It is estimated that between two and three millions of dollars' worth of books are annually published in the United States. It is to be regretted that literary property here is held by an imperfect tenure; there being no other protection for it than the provisions of an inefficient Act of Congress, the impotent offspring of an obsolete English statute. The inducement to take copy-rights is therefore inadequate, and a large proportion of the most valuable American books is published without any legal title. Yet there were 125 copy-rights purchased from January 1822 to April 1823. There have been eight editions, comprising 7500 copies, of Stewart's *Philosophy*, published here since its appearance in Europe thirty years ago. 500,000*l.* were the capital invested in one edition of Rees's *Encyclopædia*. Of a lighter kind of read-

ing, nearly 200,000 copies of the *Waverley* novels, comprising 500,000 volumes, have issued from the American press in the last nine years. 4000 copies of a late American novel were disposed of immediately on its publication. Five hundred dollars were paid by an enterprising bookseller for a single copy of one of these (the *Waverley*) novels, without any copy-right, merely, by prompt republication, to gratify the public eagerness to read it. Among the curiosities of American literature, we must mention the itinerant book-trade. There are, we understand, more than 200 wagons which travel through the country laden with books for sale. Many biographical accounts of distinguished Americans are thus distributed. Fifty thousand copies of Mr Weem's *Life of Washington* have been published, and mostly circulated in this way throughout the interior. Education, the sciences, the learned professions, the church, politics, together with ephemeral and fanciful publications, maintain the press in respectable activity. The modern manuals of literature and science, magazines, journals, and reviews, abound in the United States, though they have to cope with a larger field of newspapers than elsewhere.—*Ingersoll on the Influence of America.*

## DRAMA.

## DRURY LANE.

*Jan. 5.* A four-act Drama, from the Novel of *Kenilworth*, was produced; to this was appended a fifth act, consisting of a kind of pantomimic pageant, which consisted of little else

than show. The piece was indifferently received.

*Jan. 13.* This evening was produced a new Comic Opera, attributed to the pen of Mr Beazeley, entitled, *Philandering, or the Rose Queen*. The principal incidents are founded on

the feast of the Rosiere, once prevalent in some parts of Germany, and in many of the villages of Provence. The piece was honoured with one of the most crowded audiences of the season, and was announced for repetition amongst universal approbation.

Feb. 24. A new Burlesque, entitled *Rumfustian Inamorata*, or the *Court of Quodlibet*, from the pen of Mr Walker. There was a good deal of broad humour in the piece; and it was well received, having been frequently repeated.

#### COVENT GARDEN.

March 11. A new Comedy, in five acts, entitled, *Pride shall have a fall*. It is from the pen of the Rev. George Croly, author of the "Angel of the World," "Catiline," &c. As a dramatic production, it was calculated to excite a powerful interest, and was received with unbounded applause. As a specimen of literary talent, and sterling composition, it is in no way unworthy of its author; and we consider that the piece will afford as much gratification by perusal in the closet, as by representation on the stage.

#### *New Pieces for Easter.*

#### DRURY LANE.

April 19. A Pantomime, entitled *Zoroaster, or the Spirit of the Star*. The plot is laid in Egypt, the land of magic and of priestcraft. The hero of the piece is a youthful shepherd, named Gebir, the favourite disciple of Zoroaster, the high-priest of the Magi, who confers on him the miraculous power of obtaining every object of his desire. Ultimately Gebir ascends the throne of Egypt by right of his bride Pamina. The story admitted of the most varied scenery,

which was splendid in the extreme. It was announced for repetition amidst universal plaudits.

#### COVENT GARDEN.

April 19. A melo-dramatic tale of enchantment, entitled *The Spirits of the Moon*. The plot is laid in Egypt, and the hero of the story is the legitimate monarch of the Egyptian throne. The scenery and decorations were very splendid and imposing; and the spectacle was received throughout with universal acclamations.

The well-written Comedy of *Pride shall have a Fall*, has been a deserved favourite during the last month; having been now acted twenty times. We trust its success will induce the author to make farther efforts for the public amusement.

May 27. A Comedy, in three acts, entitled *Charles the Second, or the Merry Monarch*. It was well received.

June 16. A farce, called *My own Man*, the chief incident of which was copied from the *Lying Vallet*. It was a miserable production, and received the contempt it merited.

#### HAYMARKET THEATRE.

June 14. A new Prelude, called *Come if you Can*. Being a very meagre production, it was justly condemned.

#### KING'S THEATRE.

June 15. A Ballet, entitled *Le Page Inconstant*. It was full of amorous bustle, and excited considerable approbation. The decorations and scenic effect were admirable.

#### ENGLISH OPERA.

July 3. A new Pantomime, entitled *Monkey Island*. The scenery was

good, and some very clever tricks were performed. It was tolerably well received.

July 6. An Operetta, called *Military Tactics*. It appeared to be little more than a new translation of "Les

Projets de Marriage," which appeared at the Haymarket about four years ago, under the title of *Match-Making*. It was badly acted, and received with the utmost indifference.

## ECCLESIASTICAL CHRONICLE.

## BIBLE SOCIETY.

This society, during the last twenty years, has expended 1,165,000*l.*, and has circulated, at home and abroad, more than four millions of Bibles and Testaments. During the past year 124 new societies and associations have been formed, and an increase obtained in the income of the society of above 1000*l.* In the same period the expenditure of the society amounted to about 89,500*l.*, and the issue of Bibles and Testaments from its depositories exceeded those of any former year by more than thirty thousand copies. Much has been effected under its auspices in Ireland, in the British colonies in America, the West Indies, Africa, and New South Wales,—in China, where the Bible, translated into the language of that country by Dr Morrison, has been printed,—and in India. The Coptic churches in Egypt, the Christians in Abyssinia, the Greeks, the other Christians in the Turkish empire, and the Turks themselves,—have each received, or were about to receive, the Scriptures printed in their native tongues. In South America,

and especially in Lima, there has been a great demand for Bibles ; and a remittance of 299*l.* has been received; for the purchase of the Scriptures. In the Island of Otaheite the Gospels and the Acts of the Apostles have been printed and circulated in the language of the country. In France, in the Netherlands, in Germany, Switzerland, Prussia, Denmark, Sweden, Russia, and the United States of America, the example of England, in the formation of societies, and in the distribution of the Scriptures, has been followed with great zeal and success.

The London Missionary Society held its anniversary. The report chiefly adverted to Mr Smith, one of their missionaries at Demerara, whose death, and the circumstances attending it, are so well known. On the motion of the Hon. B. Noel, a resolution declaratory of Mr Smith's innocence, and the hardship of his case, was passed unanimously.—The Rev. Mr Irving, of the Caledonian Church, preached one of the anniversary sermons of the London Missionary Society, in Tottenham Court Chapel, on Thursday evening. Mr Irving preached for upwards of

three hours and a half, and was so exhausted, that he was obliged to crave the indulgence of the audience twice during his discourse, the congregation, during the intervals, singing a hymn.

LONDON HIBERNIAN SCHOOLS.

There was a most numerous audience of ladies and gentlemen at the Freemason's Hall, to hear the Annual Report of this Society's proceedings. Lord Gambier was called to the chair, during the absence of Lord Lansdowne; but at a little before one the gallant admiral vacated his seat to him.

The report stated that the Day Schools were distributed through the provinces of Ireland in the following proportions:—

	Schools.	Scholars.
Ulster, - -	326	31,702
Leinster, - -	31	2,665
Connaught, -	204	18,271
Munster, -	72	8,749

Of these, 188 are in connexion with noblemen and gentlemen resident in the country, 274 under clergymen of the established church, 10 under dissenting ministers, 26 under Roman Catholic priests, and 574 without the benefit of local superintendence. Since the last year the agents of the society had been increased from twenty two to sixty, and the number of copies issued from the depository in the course of the year amounts to 2005 English Bibles, 12,297 English, and 2000 Irish Testaments, presenting an increase of 890 Bibles, and 2368 Testaments upon the distribution of last year; and a grand total of 108,902 copies since the commencement of the Institution.

Lord Rocksavage moved, and Mr Stanley, M. P. seconded the resolution, that the report then read, be received, adopted, and printed, which was carried unanimously.

Lord Barham moved that the thanks  
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of the meeting be presented to the Duke of Gloucester, which was seconded in a speech by the Hon. Mr Shore, who said that this society had been grossly misrepresented, when it had been stated that any of its agents had received directions from the committee to endeavour to change the religious opinions of the Irish peasantry.

At the conclusion of the hon. gentleman's speech, a gentleman who stated his name to be Macdonnell, requested permission to make some observations on the preceding speech, which he proceeded to do, when he was called to order. After a desultory conversation, in which many gentlemen present took part, it was decided by the noble chairman, that as Mr Macdonnell was not a subscriber to this institution, he could not be allowed to address it.

In the course of Mr Macdonnell's speech, to prove it was not necessary to use the Bible as a class-book, he instanced the parish-schools of Scotland, and among other authorities cited the statements on that subject by the editor of a morning paper; when the Rev. Edward Irving said, as a Scottish clergyman, he must affirm, that the Bible was used in Scotland in all the parish-schools.

The Rev. Mr Irving, in an animated speech, supported the institution. He had been in Ireland, and shared in the hospitality of its peasantry; he had partaken in the jokes and good humour of their fire-sides, but he could not help remarking the ignorance and unhappy manner in which their children were brought up. A superstition existed there which had not been surpassed in the middle ages, and he exhorted all denominations of Christians to support so excellent a society as the present, which was to destroy this fatal want of education.—Thanks were then voted to the chairman, and the meeting separated.



May 11th, The Annual Meeting of the Scottish Missionary Society was held in the Assembly Rooms; the Right Hon. the Lord Provost in the chair. The Rev. Dr Buchanan having opened the meeting, the Rev. Dr Dickson, the secretary, read the report; after which the meeting was addressed in suitable and impressive speeches by the Rev. Dr Gordon, the Rev. Mr Young of Perth, the Rev. Mr Henderson, Stockbridge Chapel, Capt. Wauchope, R. N., Robert Hepburne, Esq. of Clerkington, the Rev. Mr Dickson, James Inglis, Esq. Rev. Mr Campbell, and Rev. Mr Young of Whitby; and closed by the Rev. Mr Brown. The meeting was more numerously attended than any former annual meeting of this society, and excited a lively interest among the audience in its behalf.

#### PRESBYTERY OF EDINBURGH.

On Wednesday, the Presbytery of Edinburgh held their monthly meeting. The minutes of last meeting were read. At their meeting on the 2d instant, the Rev. Mr Burn was ordained minister of the church in St Peter's Street, Montreal.

Dr Inglis said, he had a motion to submit to the Presbytery, which he conceived would take up little of their time, as he did not think there would be any difference of opinion on the subject; he therefore hoped Dr Thomson would allow him to bring it forward in preference to his motion.

Dr Thomson acquiesced.

Dr Inglis observed, the matter to which he alluded was of great public importance. It appeared that a bill was at present in the House of Commons for the relief of the poor in Scotland, the principal sections of which were most dangerous in every point of view; he allowed that there were some parts of it which he would not object to, and he begged the act might

be read, which was accordingly done by the clerk.] The reverend doctor said, that should the act pass into a law in its present state, it would have a powerful tendency to demoralize our country, and increase the number of paupers. He had learnt that the Court of Session have found that appeals to kirk-sessions cannot be sustained. The Court at the same time did not find what allowance should be given, but merely that the case was one at civil law. With regard to what the bill proposes as to paupers, he perceived a considerable degree of danger attending it, as it cut off the pauper from relief in almost every case of doubt as to his residence, and he would be thus put off from one parish to another, and the man before he could obtain relief, would have to raise an action. This clause would probably be rectified, but some of the other provisions of the bill were noxious, as they abrogated every act from William III., and annulled all cases of persons who for the first time received aid from any other source than from the minister and elders; it was therefore clear, that if the bill passed, no person could receive assistance from any other establishment raised by poor-rates. The funds that might be raised could not support the poor of the parish, and in large cities, if the poor were refused aid, they would be forced to go to the streets and beg, and who could hold up his face to prevent it? In those cases no one could distinguish those who really required and deserved assistance, from vagrants and sturdy beggars; but it would bring us back to the period previous to William and Mary, when the country was in danger from vagrants. Supposing the bill were to be modified so as to avoid some of the noxious clauses, still it would operate against the dissenters, and every congregation would become, in a great degree, liable to support their own poor. As a great pro-

portion of those congregations were composed of poor people, it would entail upon them a very heavy assessment. He thought there ought to be an immediate expression of the opinion of the country upon the subject; and he was clearly of opinion, that as the presbytery were indispensably bound to maintain the interests of the poor, it was therefore their duty to step forward on this occasion. The matter could not be delayed; he had therefore no other choice left than proposing that a petition should be transmitted without delay to the House of Commons, praying that time might be allowed for considering the provisions of the bill for the relief of the poor in Scotland.

Dr Davidson proposed that a committee should be appointed, for the purpose referred to by Dr Inglis, and report to the presbytery.

This was agreed to, and it was also resolved that the presbytery should meet on Friday to receive the report of the committee.

Dr Andrew Thomson then rose to bring forward his motion relative to clergymen of the Church of Scotland accepting and performing offices of a secular nature, incompatible with their duties as ministers. He said he should endeavour to be as brief as possible in his observations on the motion, with which he should conclude. It is well known, that when the church at Calcutta was established, it was placed by the General Assembly under the jurisdiction of this presbytery, but, since its establishment, they have never been consulted on anything regarding it by the East India Directors. It was notorious that there had been three clergymen in India—one at each of the presidencies—avowedly in connexion with the Church of Scotland; to these other three had been added. Of all these transactions the presbytery knew no more than what they heard from

public report; they never had received any official communication of the appointments. They themselves have also been faithless to their charge, for they have never taken any steps to inquire into the state of that church. He knew, that in the Presidency of Madras the ordinance of the Lord's supper had only been celebrated once in seven years. It was time they should resume their authority. It appeared, from statements which he would submit to the presbytery, that the minister at Calcutta was appointed and officiated as clerk to the Committee of Stationery. The appointment had excited much interest in India, and there could be no doubt as to the matter of fact, as his name appeared in all the newspapers in India. It must not be forgotten that this gentleman is a minister of the gospel; that he has been set apart for that purpose; and, in consequence, had no title to accept of any secular employment. He had spiritual duties to perform, and that, too, among a people whose besetting danger was worldly pursuits. Now, what must they think when an example is set by their minister accepting a secular employment? It must lower their estimation of the clerical character, and consequently tend to their neglecting their religious interests. The minister of Calcutta was sent there to maintain our national church; he was therefore bound to uphold its dignity. When a clergyman among us engages in any secular employment, the evil is not observed, from the number of ministers; but in India, where the clergymen are so few, its bad consequences are at once apparent. The persons sent out to India by the church of England were men of learning and piety; of the most exemplary behaviour, and were honour to their profession. They laid not a finger on any secular employment. He conceived that it was

of incalculable importance that the minister of our church should be a person who should not engage in such employment; and that the presbytery might know what was the nature of the office which Dr Bryce had accepted, he would read a short account of the duties he had to perform; they were various, and consisted of his inspecting country paper, country pens, country sealing-wax, country paste-board, China ink-stands, China foolscap-paper, brooms, country sand, and country tape. In the inspection of these articles the minister sent out by our church employed his time and his talents every month in the year. It was not an office he could take up or leave at pleasure, but he had duties in it which he was bound to perform, and for these he received the handsome salary of 600*l.* a-year. It was an employment to which he had to attend as a clerk on the committee, when and where they pleased to appoint. In this manner he might, in place of doing his clerical duties, be obliged to go and inspect buffalo-hides, and, instead of measuring or ascertaining the fitness of his young hearers for joining in the celebration of the Lord's supper, he might say he could not do so, as he had to measure tape. Had there been any reason for Dr Bryce accepting such an office from the lowness of his salary, there might have been some excuse, but on that score there was none; the salary he received was liberal; it was no less than 1200*l.* a-year. He submitted, that the presbytery would be justified in expressing their opinion of the impropriety of associating secular offices with the clerical duties. The reverend doctor then alluded to the trial at Calcutta, on an action for libel, raised by Dr Bryce against the editors of a journal there, in which he sought very high damages. The evidence that was given on that trial he thought bore against

the appointment of Dr Bryce to secular employment. A Dr Graham was examined on the subject, who stated that he was generally acquainted with the practice of the church of Scotland, and that the profession of a shoemaker or a tailor was not derogatory to a Scottish clergyman. This was spoken by a man in a respectable station in society, but he, (Dr T.) must say that the statement was not true, and any one professing to be acquainted with the church of Scotland, did not speak the truth if he stated such a circumstance. Our clergymen there passively acquiesced in being viewed in this degrading point, and thus contributed to bring the church of Scotland down to the lowest level. He had no doubt that the statement operated upon the minds of the jury, and had some effect in the amount of damages that were given. In his charge to the jury, the judge did not hesitate to say, that laborious professions were exercised by clergymen of our church, and this opinion had spread farther; for the temporary Governor-General (Mr Adam), in a letter, says, that the duties of a presbyterian minister were of so unobtrusive a nature, that he might accept a secular employment. He confessed that, as a member of our national church, he felt himself degraded in hearing such opinions go forth to the world, and the presbytery ought to give such an expression of its feelings as would remove the stain which seemed to attach to our clerical character. The reverend doctor concluded by reading his motion, which was in effect, that since the Rev. James Bryce had been appointed minister of the presbyterian church at Calcutta, the presbytery understood he had accepted of a secular employment, and in order to ascertain the truth of such a statement, they therefore resolve to correspond with the Court of Directors of the East India Company, to in-

quire if Dr Bryce's appointment was sanctioned by them; and they conceive that such appointment is injurious to the church, and to the interests of religion in India.

Dr Davidson seconded the motion.

Dr Inglis said, he concurred in a great part of Dr Thomson's argument, that it is extremely injurious to our national church, that any clergyman should accept of a secular office, which circumscribed his duties as a minister, and, were a case made out, he should have no objection that the church should interfere, and he had no doubt they would interfere with effect; but in this particular instance, no case had been made out, and he therefore could not support the motion.—He could not think that any man, calling himself a Scotchman, could give such evidence as that read by the reverend doctor, and therefore he could not bring himself to believe that such expressions had been used; they rested on the authority of a newspaper report, which they well knew contained many contradictions, and were not to be relied on. Before they could proceed one step, they must have such evidence as any judicatory, acting on the principles of justice, will require before it can come to a decision upon any subject. He would again state, that were a case made out to the extent alleged, or that any clergyman held a secular office incompatible with his ministerial duties, he was ready to go into the examination upon regular evidence being produced. He would not be so rash, however, as condemn all who engaged in secular duties; there were circumstances peculiar to many cases; but only let one be made out of such an incompatible union of offices, and he would go as earnestly into the examination, and as heartily apply a remedy, as the reverend doctor. The presbytery were called upon to proceed against a man who was not, legally

speaking, implicated; but were they to give judgment, in effect injuring the character and usefulness of a clergyman of our national church, and that too, upon the mere report of a newspaper? This was a procedure in direct violence with every principle of justice, and contrary to the forms of process which were the laws of the church. He differed from the reverend doctor in giving credit to the evidence that was read, and he had little doubt that in the report of the trial, there was much misrepresentation; at the same time, admitting that there was some shadow of truth in the report, Dr Bryce could not be held answerable for the testimony that was given. He had heard, and he believed the rumour to be true, from the authority from which it came, that at this time no such office as that complained of existed, although he believed that it did exist, but that it was now abolished. On every principle of justice it would be unfair to condemn a person unheard; he would therefore propose that the motion should be delayed, by which Dr Thomson would have an opportunity of instituting a farther inquiry if he thought proper.

After a debate of some length, Dr Inglis's motion was carried.

#### PROCEEDINGS OF THE SCOTTISH GENERAL ASSEMBLY.

##### *Principal M'Farlane's Case.*

Mr Robertson addressed the court. In the month of March 1823, my client received a letter of presentation to the High Church of Glasgow; and his acceptance was laid before the Presbytery in the month of June thereafter. Judgment was postponed, however, till the 2d of July, when a most extraordinary sentence was pronounced by that reverend presbytery. It was, indeed, a sort of essay on political economy, as to the duties of the Principals of the

College of Glasgow—the population of the High Church parish—why Dr Taylor was not turned out of the church during the period of twenty years that he held the principality—and came to this conclusion, that my client was not a qualified presentee. They do not attempt to prove his disqualification on the ground of unsound doctrine, or immoral character. Nor do they allege any disqualification in point of literary attainments, but merely observe that he is a Principal. I ask my learned friends where is the disqualifying law? But the most singular reason was, that both offices had ample funds. So it seems that his Majesty's presentation in favour of a Principal, is not to be respected unless it is accompanied by a plea of necessity. "We," say the presbytery, "hold it inexpedient that the duties of a minister and a Principal should be conjoined, though we patiently witnessed this union for nearly twenty years." Now, Sir, if they acted right in one case, they erred most egregiously in the other; and how are they to get out of this dilemma? Dr Taylor sneaked in, and consequently he may remain. They refused to act on the presentation, and ordered a report of the sentence to be forwarded to the Crown officers. I cannot pretend to say how they could possibly arrive at this conclusion. We are not accustomed in this free country to *ex post facto* law, but now we have a stream of it. If there were any disqualifying law, it must be interpreted as depriving a man of his rights. There must be a statute of the church, and of the land, upon which you must lay your hand, and say, by this rule the gentleman is disqualified. Had the presbytery examined the act of 1592, from which this House has derived its authority, this case would not have been here. One clause says, that "for the keeping of the kirk in good order, presbyteries

shall be empowered to do certain things, provided they do not violate the laws of the Assembly." The presbyteries have gone directly in the teeth of this, and acted legislatively in a private case. Again, another clause provides "that every person properly qualified shall be received." This seems to have guided the presbytery in pronouncing Dr M'Farlane an unqualified person, but they should have declared him at once an unqualified presentee, and not attempted to bolster up the proceeding by reasoning as unfounded as the proceeding itself. It is admitted, I presume, that he was qualified before he was appointed to the principality. The disqualification must be absolute in the person it affects; it will not do to affirm that it is not an easy task to turn a man out of a church when once he has got in, because the disqualification applies before as well as after. By the act 1681, it is enacted, that from danger of heresy, no clergyman shall have more than one flock. But does it therefore follow that he may not have a kirk, and principality? The learned counsel now concluded his observations upon the civil law with which he said he was more intimately acquainted, and came to the church laws upon similar cases. The act 1691 forbids a plurality of churches only—that of 1574, enacts that no clergyman shall exercise the office of chamberlain, hold hostleries, or such like—and is quite foreign to the present case. This act was, however, brought forward by the reverend presbytery, to show how it disapproves of the appointment of a principal to the office of a clergyman. In Calderwood's History, I have been so fortunate as to have discovered this passage alluding to the church. "In 1600, she had arrived at her greatest purity, and was an ornament to all foreign kirk." Yet the same year, an act passed to correct the small abuses which

had, even in that pure age, crept into the church, to wit, carding, dieing, flaneing, flattery, "and wearing of gorgeous apparel." But what was to be pronounced against such as practised those vices? Why, they were to be admonished and brought to repentance. Those are the statutes founded on; and I would ask if any one of them disqualify a clergyman from holding a principalship. The learned counsel here referred to a variety of cases, where principalships had been held by clergymen; and produced an almanack, from which it appeared, that there was not a principalship in Scotland, but had been occupied by clergymen. The learned gentleman concluded in a bold and impassioned style of eloquence, conjuring the Assembly to consider the case as one of a private nature.

Mr Cockburn said, it would ill become him to take notice of any of the extrajudicial publications which had gone abroad. With these he had nothing to do; but it was notorious, that two of them were acrimoniously in favour of Dr M'Farlane, and one of them learnedly against him. The Presbytery of Glasgow, in the execution of their duty, had come to the resolution, that for Dr M'Farlane to hold the office of Principal, was incompatible with his clerical duties. Had he held any other office, civil or military, the objection would have been equally valid. The act of 1817, only applies to non-residence, with a view to prevent clergymen from residing out of the parish, and subjecting themselves to authority which the presbytery cannot control. That act meant to dispose of nothing, but the question of residence, and was it meant to affirm, that any union of offices would be compatible, so that the duties lay in the same parish? To see the absurdity of this, attend to the opposers of the law. [Here the learned gentleman read a motion

by Dr Hill, stating, that inasmuch as the church had the power of judging of incompatibility, it was unnecessary to legislate as to residence.] Now they say that point was settled, and therefore you have nothing to do, so long as a clergyman is resident. Strange! Suppose a man wished to be a judge, or anything else; in the words of the law, there was nothing to prevent his wishes from being fulfilled. If they had attacked Principal M'Farlane, on the ground of non-residence, they were bound to give him nine months to desert his living. But when they objected, on the ground of incompatibility, the case was entirely altered. Again, if a gentleman be produced perfectly well qualified as to morals, literature, &c. you have nothing to do but induct. In Dr Hill's book, it is said, though there be literature, morals, everything, you cannot induct, where, from weakness of lungs, or any other impediment, the presentee cannot be heard. The house has declared, that any secular employment is inconsistent with the discharge of the ministerial functions, and if this was done, why may not the Assembly interfere here? Again and again the Assembly has prevented persons from holding secular offices, by which I mean principalships and professorships. If you have demurred as to bodily weakness, blindness, and so forth, can it be said you have no right to object whenever a patron brings forward a double presentee? The rights of a patron are unquestionably legal rights; but they are bound to present persons duly qualified for the execution of their functions. What constitutes this? Not blamelessness and literary qualifications, but ability to perform the duty required. I think it is scarcely a gentleman in this, who will fairly set his face to a contrary opinion. Assuming that the act 1817 does not govern this case, which

see whether the qualifications of Dr McFarlane do not constitute a specific case. But it is no matter whether this, that, or the other man, is a Principal, unless you can show me a law to the contrary; but do we not take the spirit and the principle, and let these supersede mere idle phraseology? If you extinguish the vein of principle that runs through the law, you extinguish the very soul of the law. I will not degrade the question, by saying, Dr McFarlane should never be a minister of Glasgow; for there is a law of principle we should never lose sight of. Are there no statutes that say, no clergyman shall engage in concerns inconsistent with his parochial duties? I refer you for an answer to this, to a set of acts passed during the fifty years after the church was firmly established. The spirit, though not the letter of these, meets the case of Dr McFarlane; and the system upon which they are all framed is just this: They do not give a catalogue of what they prescribe, but they put down one evil after another. No minister shall, they say, hold any office that may abstract him from his sacred one; and the office of chamberlain, or collector, is proscribed merely because it tended to interfere with other duties. The act 1688 prohibits a new set of incompatibilities; and it was the spirit of this whole cluster of statutes, to put down everything they found wrong, and they would have put down principalities too, had they been found existing. A parish is to have the *whole* time and attention of its ministers; and is it possible that, without an assistant, Dr McFarlane could justly perform the functions of both Principal and Minister.

When we know the population of a parish amounts to nearly 9000 men, should he get the place, I doubt not he will attempt it; but to say he without need, would be in me downright

affectation. The man must be superhuman who succeeds in the attempt. The duties of a Principal are of no common nature. By the old law, he must be qualified to expound the scriptures; know many languages; exhibit a pattern of industry; employ one hour in prelections; must preach one day weekly, and be free on the seventh from his ordinary duties, that he may preach to the people of Govan on Sunday. This was complained of in the year 1621, when a visitation was ordered, and Govan was separated from the principality. Indeed, no court could sustain the right to the two offices, as the duties of one are so great as to render it impossible justice can be done to the other. The Principal is the *primarius* professor of divinity, and intrusted with the general superintendence. He must audit the accounts, walk with the students, and has a great responsibility. When I see such a Principal as Leechman was, a man proud of his situation, proud of incorporating science with literature, proud of every new laurel gained to the University, the friend of merit, the encourager of genius; when I think of him, can I believe the new presentee to be so insensible of true glory, that he can coldly undertake the cure of 9000 souls? I say, that the duties of the Principal must interfere with those of the minister, and *vice versa*, and between the two his mind does not get fair play. And if he were not in pursuit of objects neither sacred nor academical, he would not ask you to appoint him. There can be no necessity whatever for the union of the two offices. The stipend amounts to 500*l.*, and the salary of the Principalship to 600*l.*, besides house and garden, and 200*l.* attached to the office of one of the deans, with various other fees or degrees granted at the University. This is not said for the purpose

of prying into a gentleman's private affairs, but still I cannot shut my eyes to the fact.

No man has been Principal with a single charge and a large salary. Principal Baird has a colleague, and almost no salary. Another has a cure of 500 souls, with an assistant to help him; and after all, had I a little amicable talk with those who are so fond of such unions, I do not think we would greatly differ. But some wish to do a generous thing. He is a good man, they say, and why not do him a kindness? these have been of course their sentiments on the subject. And if this case is carried, it requires no seer to tell you what the consequences will be. To say that the church has not power to refuse a gentleman who is prevented by his other engagements from performing his duties, is to expose the clergy to the scorn, and even the indignation of the people, since everything that is incompatible with the discharge of the clerical functions, invalidates a presentation. The learned counsel concluded by citing a number of cases in which the law had been altered; and inferred that the Assembly should be alone guided by constitutional views.

Dr M'Gill said, It is the glory of the church of Scotland that no patron can thrust in an unqualified person. Knowledge in languages, and soundness in doctrine, are not the only qualifications. There are so many circumstances tending to disqualify, that they cannot be embraced in any statute. There have been, and there are still, learned lunatics, who have gone through an examination with the greatest correctness. The power of applying knowledge, should be the principal criterion. The principles of the church are quite hostile to pluralities, though they have in some cases been permitted in a limited degree, where some special and necessary causes existed.

Dr Chalmers briefly addressed the venerable assembly. Alluding to the growing population of Glasgow, he observed, that the clergyman and his flock had been gradually receding till they had nearly lost sight of one another. Even the ordinances of religion, which often exist after the spirit is gone, had well nigh disappeared. Demoralization was proceeding at a rapid pace. This was felt, and measures taken to arrest the evil by providing additional church-accommodation. And it is only by successive approximations that we can ever hope to accomplish the great and noble objects of the ministry. Accordingly, all were rejoicing in the glorious prospect, when a gentleman stepped in to upset the Christian policy of the corporation. To have approved of this would have been like committing an act of suicide on our own cause. The very name of plurality he considered offensive. It was the more necessary to give this explanation, as there may be some who cannot enter into our feelings. The presbytery felt as men feel, when a great impediment is thrown across their walk in the performance of a great duty. Give me the man who neither flatters nor fears; it is this that is our wall of strength, this that enables us to resist all the surges of popular violence. Country and retired gentlemen may not sympathize with us, but my town-brethren, on both sides of the question, will. On the law of this case he would not touch, as the field had been amply explored, but would come at once to the act of 1817. Then the church came forth with an interdict against country pluralities, and yet it is perversely inferred that she cannot come forth, and, by her own discretion, do the same in cities. A quarrelsome result certainly, that she cannot lift her arm against one class of abuses without laying herself open to evils of a different character, but of greater mag-



itude. There is a vast distinction between the *acts* and *actings* of the General Assembly. We sit as a court of conscience, and there are thousands of questions that come before us through which you could never find your way, but upon views of expediency and public good. You can do no prejudice to your acts by sustaining our sentence, and therefore you can do nothing to injure the interpreters of the church. When the presentation was laid upon the table of the Presbytery, and when the usual question came to be put in the usual way, they laid their arrest upon it, after a full and free debate, and for reasons for which they are not afraid to hold up their unabashed heads. And if this is to be undone—if the church is not able to hold up her head, you may boast as you will, but it must be crippled machinery indeed that cannot remove one solitary blot—one glaring corruption.

Mr Robertson replied.

Mr Findlay of Perth, addressed the Assembly at great length, amidst many interruptions, and occasionally the loudest calls of 'vote.' He concluded with moving, that the sentence of the Synod of Glasgow and Ayr be affirmed.

Mr John Yorstoun of Hoddam next addressed the Assembly in a brief but argumentative speech; and concluded with moving, after a preamble highly complimentary to Dr M'Farlane, that the decisions of the Synod of Glasgow and Ayr be reversed, and the settlement of Principal M'Farlane proceeded in with all convenient speed.

After some attempts to move an adjournment, both motions (having been duly seconded) were put to the vote, upon the understanding that the state of the question should be *Reverse and Affirm*. On the names being called over, the votes stood as follows:—

Reverse, 165

Affirm, 80

85

## POOR-LAWS.

The Assembly proceeded to the consideration of the overture from the presbytery of Annan, relative to the poor-laws.

Dr Duacan of Ruthwell, in supporting the overture, proceeded to state that a bill had been brought into parliament, to regulate the relief granted to the poor in Scotland. The object of the measure was entirely to put an end to the operation of the poor-laws. Although he was by no means friendly to assessments, and thought that they can be only safely regarded as a last expedient, to be resorted to only in cases of extreme necessity, yet by this sweeping legislation there would be the greatest danger of falling on Scylla in avoiding Charybdis.—He did not deny that the law as it now stands might be improved. The power conferred on the poor themselves, of prosecuting the heritors and session for a maintenance, was certainly attended with many evils. It constitutes them, to a certain extent, proprietors of the land; and by giving them a legal right to demand support, destroys the very idea of charity both in the giver and the receiver. The one class are thus led to be clamorous, the other to be reluctant; the one to complain of injustice, the other of ingratitude; and thus a breach is made between the rich and the poor that cannot be healed. Nor does the evil end there—no—for then come all the vexations and all the demoralizing influences of litigation, urged on by pettifoggers of the law, and by radical agitators. To remedy these evils, Mr Kennedy brings forward his bill, by which he proposes to level the whole fabric of the poor-laws at once, blow and to leave the indigent without any provision, except such as may be found in charitable feeling and Christian benevolence. It is true that his ingenious and excellent friend, whom he expected to second his motion, had

proved the possibility and the propriety of supporting the poor by private charity. It is not pretended that the destruction of the poor-laws will destroy poverty. Disease and old age, and numerous families, whose only head is a widowed mother, or a bed-ridden and helpless father, himself needing support, will still be found in as great abundance as ever. How then are these to be maintained? By casting them on the charity of their friends and neighbours. Want, in order to excite the sympathetic feelings, and to call forth charitable exertions, must not only be known to exist as a general fact, but must be brought home to the heart by actual observation. Men do not commonly put their hands very deeply into their pockets for purposes of charity, unless they come in actual contact with objects of compassion. He knew enough of the sentiments of the landed proprietors to be convinced, that the relief which many of them now give is extorted from them by the fear of assessment, and that, if this fear were once removed, the parishes, where there are no residing heritors, would just be left to shift for themselves, with the burden of a more rapidly increasing, and therefore a more starving population. Dr Duncan concluded with moving, that the Assembly at present deem it inexpedient to compel any change in the system of the poor-laws of Scotland, and, in consequence, resolve to petition parliament against any compulsory alteration. Dr Chalmers rose to support the motion of his reverend and worthy friend. With regard to the bill, he should be giving the lie to his own sentiments and conviction, were he to profess a disbelief in the practical utility of the whole of its enactments. He, nevertheless, did not hesitate to state, that it was his firm opinion that the necessity of poor-rates might ultimately be wholly done away with.

There were maxims regarding the maintenance of the poor perpetually rung upon the ears of the people; and these maxims, whether well or ill grounded, it was the fashion of the time to believe. The most inveterate enemies of the parochial system would do him the justice to say, that he never thrust this system on any other parish. It had, nevertheless, crept beyond its original bounds, and was now voluntarily working its silent way into the very hearts of those very parishes that were at first its most strenuous opposers. It was much easier to convince the Jamie Macfarlanes, the Kate Simpsons, and the Andrew Thomsons of the Gallowgate of Glasgow, of the efficacy of this mode of providing for the wants of the poor, than the conveners and committeemen of that great city. The General Assembly might make and reject laws regarding pauperism as they pleased, but still they would have poor in their land, and still these poor must be provided for; and, however they might strive by their laws against mendicancy to do away with so great and so sore an evil, they would ultimately come nearly to the same purpose as a certain venerable association did, who passed a vote against the system of Copernicus, and the laws of motion as discovered by Galileo. These were his feelings and his sentiments regarding the bill under discussion; and being decidedly against a doctrinal declaration from this Assembly to the House of Commons, he should conclude by heartily seconding the motion of his reverend and learned friend.

A good deal of discussion followed, though all agreed on the principle of inexpediency, and a motion embracing that as a ground for petitioning parliament was unanimously adopted; a petition was prepared, signed by the Moderator, and ordered to be transmitted to the Lord Advocate, with a

request that his lordship do present the same to the House of Commons.

#### COURSE OF STUDY OF THEOLOGY.

Mr Eisdale, convener of the committee for revising returns to overtures on the course of study to be pursued by students of theology, gave in the report of that committee. It stated that they had received returns from six presbyteries, five approving *simpliciter* of the proposed alterations, and one, the presbytery of Dundee, proposed some modifications. Mr Eisdale observed at some length on the object of the overture. One reason for the proposed alterations had been the increasing number of students, but where there was the greatest number of rival candidates, the public would have the greatest choice. He regretted that politics had insinuated into our church, and that certain speculators supposed that the church was in danger from an excess of students, in the same way as the country from an excess of population; another reason was, that compassion for the students frequently induced presbyteries to be more lenient in judging of their qualifications. It had been said, why should less time be required for the education of clergymen, than for instructing a tailor or shoemaker in the business of their crafts? Were the mysteries of the latter more profound than the mysteries of religion? By no means. The long apprenticeships were not necessary for the initiation of pupils, for most trades might be learned in a few months; but they were monopolies in favour of the masters; and he would oppose the introduction of the same principle into religion. That the change was considered unnecessary, might be inferred from the indifference of the church upon the subject; and he thought it better that the Assembly should give the overture the

*coup de grace* at once. He therefore moved that there does not appear any necessity for altering the course of study, at present required of students of theology.

Dr Chalmers was unprepared to answer the speech that had just been delivered. He had indeed lost sight very much of the overture, and had little recollection of the speech with which it was introduced; for amid the variety of pursuits which it had been his lot to be engaged in since it was delivered, even the notes of that speech had sunk into the dormitories of oblivion. He would not come forward with any elaborate defence of the overture, and he believed his sentiments would be in accordance with those of the house, when he said he wished to be excused. He (Dr C.) was not the author of the overture; it originated with a reverend father, one of the professors of the University of Glasgow, who had intrusted him with it, and he had endeavoured to support it with such arguments as he was able. Since that time he had had a little University experience added to his clerical experience, and that experience was altogether in favour of the overture. When he saw students of divinity coming forward to the number of 150 in each year, in one University, he could not but think that an argument in its favour, and that the overture stands on the same good grounds that it ever did. This overture, instead of being transmitted in a separate form to presbyteries, had been transmitted among the general acts of Assembly, and the consequence was, it had escaped notice by most of them.

Dr Cook was firmly persuaded, that attention had been as well directed to the overture as if it had been transmitted separately, and it was found, from documents now on the table, that it was unnecessary to make any alteration in the course of study; he

therefore begged to move, that it is not expedient to re-transmit the overture.

Dr Inglis rose to second the motion. If the Assembly had for its object the advancement of theology, they would not re-transmit the overture. The theological literature of the clergy of Scotland stood as high at present as it did at any period; at least that part of it which was of practical use. He thought it necessary to state his mind on a leading and important point. If they required what was called a regular attendance on any University for any number of years, they deprived the church of those men, who became most useful ministers—the tutors in families. The students might be numerous, but the church got the best of them, and if they restricted the attendance, they limited the number very considerably, and the consequence would be, that they would become students of the dissenting churches. He had heard that great advantage would accrue from one year's regular attendance at the University; but in the University of Edinburgh it was not consistent with the student's improvement in general literature that he should be qualified in less than five years; and if these five years be really necessary for young men of good education, should they think it necessary to compel another year's attendance at the divinity hall? When all practical purposes were attained by the present system, he could not reconcile himself to subjecting the student to unnecessary discipline, and therefore seconded the motion of his reverend friend, that the retransmission of the overture is inexpedient.

Dr Nicoll was against any alteration.

Some farther discussion ensued, when the vote being loudly called for, a division took place, when the motion to re-transmit was carried by a majority of 43, the numbers being, Re-transmit, 117—Not, 74.

PROPAGATION OF THE GOSPEL ABROAD.

The overture from the presbyteries of Edinburgh, Aberdeen, and Louthgow, and the synod of Moray, relative to the propagation of the Gospel among the heathens, having been read, a memorial and petition from Dr Bryce of Calcutta was read by the clerk. The memorial set forth the assiduous labours of the presbyterian church of Calcutta, towards enlightening the minds of the natives of India, in which the bishop and the episcopal church had fully co-operated. The memorial stated the insufficiency of missionaries to accomplish the work of conversion, which they had themselves candidly acknowledged, and that it was to the Assembly of the church of Scotland they looked for effective means to spread the gospel among the Hindoos. A minute of the kirk-session of Calcutta was also read, approving of the memorial. The minute also stated, that the President of the Board of Control had expressed his readiness to afford every facility in furtherance of the desired object.

Dr Macwhirter, during a long residence in India, had paid attention to the subject, and for the first ten or twelve years he had thought not a single Hindoo could have been converted. But the spell was now broken; many of them were regular hearers of Dr Bryce, but had not received baptism and the Lord's Supper. The doctor, in passing a high eulogium on his respected pastor, whose character, he said, had been assailed by the libellous press, was called to order by

Mr R. Thomson, who said the Assembly was insulted by such indecent allusions, and that the dignity of the house would be committed if such a line was allowed, as an interminable debate might arise on a subject unconnected with that before the house.

Dr Macwhirter begged pardon if he

had been irregular, and hoped that his feelings might be his excuse.

Dr Inglis rose, and after some preliminary observations said, that in 1796 two overtures had been remitted to the Assembly from the synods of Fife and Moray, having an object similar to the present, which were dismissed, it being the opinion of the House that the circumstances of the times were unfavourable, but that at a future time, when no obstacle to the proceeding presented itself, the Assembly would adopt the measure. The rev. doctor now called upon the house to redeem its pledge, the obstacles being now effectually removed. He knew there were among the honourable and reverend gentlemen present some whose opinions on the subject differed from his; who thought that there was no reasonable prospect—no probability of success; but he rejoiced that circumstances were now materially altered. He thought little was to be expected from merely preaching the gospel to an uneducated, he might say a barbarous people; they must take the advantage of improving young minds and teaching the arts of civilization as preliminary steps. Schools had been opened in India, and already the most salutary effect has been produced by them; and in practising the arts of civilization something was done for their worldly interests which prepared their minds for embracing the gospel of Christ. The arms of the Romans were an instrument in the hands of God to propagate the truth of the gospel, which had met with most success in those countries where the people were found more enlightened. But there was another cause which had done more than the military despotism of the Romans in enlightening the ignorant—viz. commerce, which was now carried on in the spirit of peace. He was far from meaning to say there was no hope in preaching the gospel to a people in any condition; God forbid

that he should limit Divine Grace. The reason that he held previous education to be necessary was, that a barbarous people were wedded to their superstitious rites; but give them knowledge and information—open their ideas to judge on other subjects—and it will be found that superstition will not stand before intelligent minds—they first doubt, and conviction follows. Let them have a standing ministry and appointed Christian pastors. There were learned as well as pious men among the natives of India, who were imparting the blessings of our enlightened nation to their countrymen, who were balancing between their superstitious rites and Christianity. On the subject of the necessary funds, the reverend gentleman alluded to the many natives of this country who had returned wealthy men, and who felt a strong desire to forward the desired object which was dear to their hearts. He concluded by submitting two motions to the house; the following is the purport of the latter:—

That the Assembly approve the general purpose and object of these overtures; appoint a committee to devise, and report to next Assembly, a specific plan for the accomplishment of that object, and reserve for the consideration of next Assembly the means of providing the requisite funds by appointing an extraordinary collection, as well as by opening a public subscription for the accomplishment of that pious and benevolent object.

Mr Duncan of Ruthwell spoke at considerable length, strongly opposing the opinion, that civilizing must precede christianizing, and referred to the present state of the South Sea Islands in support of a contrary doctrine, where the vices of the inhabitants had been done away, and whose swords had been turned into ploughshares, and spears into pruning hooks.

Dr Baird seconded the last motion;

and briefly expressed his concurrence in its object.

Dr Nicoll said he should form his opinion when he saw a specific plan of which he could approve; he would then be as ready as any man with his purse and exertions, but he would not now say anything that might commit him hereafter.

A member whose name we did not learn, warmly supported the object in view, and, in allusion to the failures of the missionaries, said they had arisen from various causes; they had been disappointed in their plans, or deceived by their agents, and it would have been next to a miracle if they had fully succeeded. He gave his support to the second motion, which would allow time to form a plan, in conducting which, the committee would hold communication with missionaries, and adopt a code of instructions.

Dr Andrew Brown at considerable length expressed his concurrence in the subjects before the house, and in pious and pathetic terms dwelt on the state of the population in those countries he had visited, where civilization was rapidly advancing.

The motion was unanimously agreed to.

#### EDUCATION AT HOME.

Dr Baird briefly stated the purport of the overture from the presbytery of Edinburgh, viz. to devise a plan for more effectually promoting education and religious instruction, particularly in the Highlands and Islands of Scotland.

Mr McLeod then rose, and after expressing the great disadvantage he laboured under, having depended on hearing a lengthened detail of facts, proceeded in laying before the house a clear and luminous statement of the depressed state of the Highlands, and of the lamentable ignorance of the people, most of whom rarely, and some

of them never, heard the Bible preached to them, or ever saw it. In stating these facts, he begged to be understood as not meaning to detract from the valuable services of the Society for propagating Christian Knowledge, or those of the Gaelic School Society, and its admirable auxiliary; on the contrary, these institutions had been the means of drawing attention to the state of the Islands; but it was melancholy that, after all that had been done, thousands were emigrating to the dark wilds of America, and passing to eternity ignorant of religion. Much is expected from a bill in Parliament, and it was satisfactory to find, after all the clamour about retrenchment, that they had been so liberal. The reverend gentleman forcibly pointed out the urgent want of preachers, one minister having to do duty at several distant stations, divided by snowy mountains and stormy seas. He very forcibly recommended the two leading principles on which the Gaelic School Society had acted, viz. the adoption of ambulatory schools, and introducing the cultivation of English through the medium of Gaelic Schools, by which more good had been done in six months than by English schools in the first instance for as many years—and the sending of catechists amongst the people. The Highlanders were fond of conversations during the winter nights. In conclusion the reverend gentleman apologized for the imperfect statement he had laid before the house, in whose hands he confidently left the cause.

Dr Chalmers approved of the church coming forward in the cause; friendly as he was to missionaries, he could not disguise that he thought she would do more than all the missionaries and societies whatever. He rejoiced this day to have a breathing-time from their controversies, and concluded by expressing his cordial approbation of the measure.

The following resolution was passed:

mously agreed to :—That, after hearing the wants of the inhabitants of the Highlands and Islands of Scotland, and their claims upon the beneficence of the public most ably and feelingly stated, the Assembly most cordially gave their approbation to the object proposed in the overtures, and unanimously appointed a committee to inquire and report to the Assembly as to an advisable plan for the church to adopt for increasing the means of education and religious instruction throughout Scotland in general where it may be needed, but particularly in the Highlands and Islands, and in large and populous cities and towns, and take what proper and prudent measures may be in their power for the information and direction of next Assembly.

The petition and appeal by the Rev. Mr McGregor Stirling, minister of Port, and Robert Blair, one of his elders, against the sentence of the Synod of Perth and Stirling, was next taken into consideration. Mr Jeffrey, on the part of the appellants, gave a brief statement of some circumstances which had taken place subsequent to the judgment of synod, whereby it appeared that an arrangement had been entered into, by which Mr Stirling was to demit his office into the hands of an assistant and successor. The learned gentleman concluded, with praying for a reversal of the sentence of deposition. The members of the synod present acquiesced in the proposition.

Dr Nicoll stated this to be a case of a most melancholy nature—a case which called more for sympathy than punishment. He believed there was but one sentiment in the house respecting it.

*Saturday, May 29.* The Moderator announced that he had received a letter from Sir John Sinclair, along with a Prospectus of an Analysis of the Statistical Account of Scotland. This

letter stated that considerable progress had been made in the completion of the work, and it was probable it would be published in the course of the year.

Dr Inglis stated that Sir John Sinclair had made a present of the copy-right of the Statistical Account of Scotland to the Society for the Benefit of the Sons of the Clergy; and it had lately been proposed by that society to publish an abridgement of that work, brought down to the present time. He therefore suggested the propriety of the Assembly being cautious in expressing any opinion upon the general value of the publication, although Sir John was entitled to the thanks of the Assembly for his attention, because an expression of approval might be injurious to the work which the Society for the Benefit of the Sons of the Clergy had in contemplation to publish.

The commission of the General Assembly was then appointed, Sir Henry Moncrieff to act for the Moderator.

*June 2.*—The Annual General Meeting of the Institution for Building of Churches and Chapels, was held at the Freemason's Tavern, when a most numerous and respectable company attended. His Grace the Archbishop of Canterbury was called to the Chair at one o'clock, on which he suggested that the Report be read. The Rev. Dr Barrett read the Report, which stated, that during the last year 182 applications had been received for assistance, some of which are still under the consideration of the Committee, and grants have been made in 62 cases, amounting to 13,755*l.* and by the aid of that sum additional accommodation will be obtained for 17,680 persons. The number of free and unappropriated sittings will be 13,088. The whole number of applications made since the establishment of the Society is 556; that 316 grants have been made; that in 86 cases, in consequence of increased offers of accommodation, the ori-

ginal sums voted have been increased; and that the total of grants amounts to 76,880*l.*; but 21 grants, amounting to 4955*l.*, have, from different causes, been relinquished; and that in five instances the works have been completed without claiming the sums which have been voted, amounting to 530*l.* The total amount of grants is 71,395*l.* At Beddington, Kingsbury, Cirencester, and Southend, increased accommodation was effected; and the grants rated by the Society were not claimed by the parties, they having found their own resources adequate to the work, and leaving the grants to be appropriated to more urgent purposes. The Society has lent its aid towards producing additional accommodation for fifty, forty, or thirty-five persons, where only that number was required, and contributed to provide church-room for much greater numbers at Bath, Wrexham, Walsall, Coventry, and other places; and by the grants which have been made, additional accommodation will be provided for 92,655 persons; and that of this number the free and unappropriated sittings amount to 69,295; but still there were thousands and tens of thousands for whom church-accommodation remains yet to be provided, and the Society, to continue their work, must depend entirely upon the public. The whole amount of the donations received, and which has been invested in the public funds, is 61,209*l.* 18*s.* 10*d.* and that of annual subscriptions, 300*l.* The amount of money actually paid, and of grants, to the payment of which the Society have pledged themselves, is 71,394*l.*; and the disposable balance at present is reduced to a sum less than the expenditure of last year by one-half. The number of free and unappropriated sittings will be 69,295, where the poor may have the Gospel preached to them. The annual statement, from March 31, 1823, to 1824,

of donations, subscriptions received, to dividends on stock in public funds, to sale of consolidated 3 per cent. annuities, to sale of 3 per cent. ditto, and to sale of furniture, amounts to 24,733*l.* 7*s.* 9*d.*; and by the grants paid, by charge and disbursements, &c. amounts to the same sum. A most munificent subscription was made by the company, amounting to upwards of 2000*l.*

## UNITED SECESSION SYNOD.

Wednesday, September 15.

THE synod proceeded to the consideration of a cause, affecting the character of the Rev. Alexander Fletcher, minister of Albion Chapel, London, which came to them by reference from the Presbytery of London, and by protest from Mr Fletcher himself, against certain parts of the presbytery's procedure. The charges against Mr F. related, 1st, to his conduct, in breaking promises of marriage made by him to a young lady, the daughter of a most respectable minister of the Secession Church, and the various aggravations which had accompanied that conduct, into which the Presbytery of London, had conceived it to be their duty to institute an inquiry; and 2dly, to charges preferred against Mr Fletcher by his session, for dispensing the Lord's Supper, in direct opposition to two deeds of the session, delaying the celebration of that ordinance.

The minutes of the presbytery were read, and the various papers connected with the business, which were very numerous, and among the rest, part of a petition from Mr Fletcher, stating that he did not mean to be present at this meeting, and requesting the synod to appoint a committee to ascertain the charges preferred against him, and allow him till next meeting of synod, to prepare his defence. The synod then adjourned till the evening.

The court having again met at half



past, several, & a variety of other papers were read, and among the rest, a petition signed by 625 members and seat-holders of the Albion Street congregation, complaining of the proceedings of the presbytery; stating that their pastor had not been guilty of breach of promise of marriage, but had only wished delay; complaining of a process being instituted against Mr Fletcher in a civil court; and entreating the synod to dismiss the affair, and to accept the declarations and acknowledgments which their pastor had offered. Another petition of the same import was also read from some of the elders, deacons, and members of Wells' Street congregation, containing about 130 signatures.

The remaining part of the petition from Mr Fletcher was then read, containing an account of the particulars of the defence he proposed to make at next meeting of synod, and stating that he denied nothing that he had written to that young lady, but wished all his letters to be taken in their proper meaning; and that it was on account of the melancholy state of his brother that he wished the marriage delayed. He complained of the manner in which the lady's father had written to him; and of his refusing to submit the matter to arbitration, but raising an action against him in the civil court, which had subjected him to about 500*l.* of expenses.

The synod then proceeded to the consideration of the question.

Some discussion in the outset took place on Mr Fletcher's protest and appeal.

Mr Lothian of Edinburgh, was of opinion, that the synod could not attend to the protest. Mr Fletcher failing to appear, he must be considered as having departed from it, and even were he competent for the court to discuss the merits of that protest, he was

decidedly of opinion that it should be dismissed.

Mr Hay of Kinross, viewed Mr Fletcher as wishing to procrastinate the business. He had received a regular summons from the presbytery to attend the synod, yet he not only failed to appear, but offered no excuse for his absence.

Mr Brown of Dalkeith said, that the protest of Mr Fletcher against the proceedings of the presbytery, was to bring the matter before the synod, and his petition to take it out of their hands again; and, therefore, that the protest ought to be laid aside altogether.

Mr Thomson of Coldstream thought the question now ought to be, is Mr Fletcher guilty of the charges contained in the statement made by the presbytery or not? If any member of the court thought he was not guilty, let him rise and say so. For his part, he had not a doubt of his guilt; and, therefore, for the honour of religion, and the prosperity and even existence of the Secession Church in London, the court ought to come to an immediate and proper decision—a decision which would make it appear to the whole Christian world, that they held such crimes in abhorrence.

Mr Comrie of Pennycuik said, that the apology of Mr Fletcher for not fulfilling his engagement, founded on the conduct of his brother, was quite untenable; for even allowing that his brother had been insane, would this be an apology for rooting out his affection for a young lady, to whom he was pledged by the most solemn and sacred promises? The same might be said of the opposition of his sisters, and therefore he considered the charges fully substantiated, and that an exemplary censure should follow.

Dr Hall was of the same opinion, and proposed that the court should now

proceed to judge of the censure to be inflicted on Mr Fletcher.

Mr M'Gilchrist of Dunse said, that he wished to call the attention of the court, for a few minutes, to the importance of the decision they should come to in this matter. The very existence of their congregations in London, depended on that decision: and if they should suffer such a stain to rest on one of their members, without due investigation, or fail, if the charge were substantiated, in passing such a sentence, as would show that they had not abandoned the discipline of the church, their consistency would be wholly at an end. That such conduct as Mr Fletcher had evinced should give offence, and call forth the disapprobation of every religious and every well-disposed person, was just what might have been expected, and he trusted the court would show their decided displeasure at the course which he had pursued. The reverend gentleman then took a review of the various steps of Mr Fletcher's conduct; his breaking up of the correspondence, he said, was peculiarly aggravated by the expressions which Mr F. used, viz. that it is not the decree of Heaven that she should be his wife, at least so long as her venerable father survived. Mr M'Gilchrist next referred to the reasons assigned by Mr Fletcher for breaking his promise, which he said was nothing more than a scheme for getting off from his engagement. The court, he conceived, must come to one of the following decisions, either to give Mr Fletcher a solemn rebuke, to suspend him from the office of the ministry, or to depose him altogether. In some cases the first of these would be sufficient; as, for example, where the party has sincerely repented of his crimes. But the case here (said the reverend gentleman) is very different; inasmuch as Mr Fletcher not only still

asserts his own innocence, but vilifies his friends because they say he has done wrong. His confession at the bar of the Court of King's Bench, was solely to serve a purpose, namely, to save damages. In his humble opinion, in order to benefit the individual himself, and to wipe away the reproach which his conduct had cast on the Secession Church, he ought to be suspended till he discover a better temper of mind, and give evidence of genuine repentance.

Mr Young of Perth, saw in the whole of Mr Fletcher's conduct, not only no signs of repentance, but a continued hardness, and a determined indifference to the feelings of those whom he had injured. For the purity of the church, and for the interests of a large community, no palliation should be made of these charges, but a proper sentence pronounced on the offender.

Mr Kidston of Glasgow, considered this case as exceedingly aggravated, in consequence of the duplicity of Mr Fletcher. He therefore proposed that the Presbytery of London be appointed to meet on an early day, that Mr Fletcher be enjoined to appear before said presbytery, to confess the offences of which the synod has found him guilty, and to be solemnly rebuked at the bar of said presbytery; and if he shall not make confession, and submit to censure, the presbytery shall be enjoined to suspend him; and to remit the cause to the synod that they may inflict higher censure. This he considered to be the best method of maintaining the authority of that presbytery, and of making a salutary impression on the public mind in London.

Mr Hay of Kinross thought, that every man must be satisfied of Mr Fletcher's guilt; and all seemed agreed that he ought to be censured. But he thought London the worst place

for passing that censure, as it would be attended with no beneficial effect; whereas, if pronounced by this court, it would have much more weight. He concluded, with giving it as his opinion, that Mr Fletcher be suspended until he gave signs of true repentance for his past conduct.

Mr Fleming of West Calder said, that there was a religious body in the metropolis, whose edification ought to be consulted; and that the synod was bound to act towards Mr Fletcher in the same manner as they would towards an elder of Albion Street Chapel. He did not think that referring the cause to the London Presbytery for censure, was answering that edification; the presbytery having remitted it to the synod, with a request that that court would terminate the business without sending it back to them. He therefore thought Mr Fletcher ought to be rebuked at the bar of the synod.

Dr Hall supported the motion made by Mr Kidston, which had originally been suggested by himself in an early stage of the discussion.

Mr Lothian, after showing that this was a cause intimately connected with the maintenance of the purity of religion, and of the discipline of the church, said, he was sorry, and he was sure every one was sorry, that no member of the court could say that this minister should not be censured. There were present at least 200 members, and not one seemed to have the inclination to say a single word in his defence. He then submitted the following motion to the court: "That Mr Fletcher be suspended from the exercise of his office, and from church fellowship, until next meeting of the synod, and that he be summoned to attend meeting, in order that he ~~may~~ be rebuked at the bar of this court, ~~and~~ at he may be farther dealt with

as they shall see cause, according to the rules of the church, with certification."

Mr Barlas of Dunfermline was of opinion, that too much importance was attached by some to Mr Fletcher's absence. His absence was, in this view of the matter, an aggravation of his offence. Had Mr Fletcher been present, he would have moved, not for suspension, but immediate deposition; but for the sake of not giving to the sentence of the court the appearance of undue severity, he would move, that in consequence of Mr Fletcher's absence, although it must appear to every one, that his absence is altogether contumacious, he be immediately suspended from the exercise of his ministerial functions, and summoned to appear at the bar of this court at their next meeting, to be farther dealt with as they shall see cause; with an express certification, that if Mr Fletcher failed then to appear and satisfy the court, they should proceed to farther censure.

Several other members spoke much to the same effect, and after considerable discussion, in the course of which various motions were proposed, all agreeing, however, as to the necessity of suspending Mr Fletcher, at least for some time, Mr Lothian's motion was agreed to.

Shortly afterwards a meeting of the Members of the Albion Chapel, in London Wall, took place, for the purpose of considering the case of the Rev. Alexander Fletcher, and of adopting such measures as should appear to be necessary. At six o'clock the doors of the Chapel were opened, and the building was immediately filled almost to suffocation.

On the motion of Mr Jones, Mr Fletcher was unanimously chosen to fill the chair.

• Mr Jones, after deprecating the attempt which he said the Synod of Edinburgh had made to foist upon the congregation of Albion Chapel a minister respecting whose talents and character they had no knowledge whatever, read the following resolution :—

“ That the Rev. Alexander Fletcher, whom we have chosen to be our minister for the last thirteen years, be still considered by us as such, notwithstanding the unfounded and invidious attack made by his enemies against his moral character, and the unparalleled and unchristian sentence passed by the United Associate Synod at Edinburgh, on the 15th inst., suspending him from preaching to us for six months to come ; being fully convinced that his persecution in this instance originated in malice, was carried on by envy, and the decision accomplished by the force of false evidence.”

The resolution was seconded and proposed by Mr Jones, (Mr Fletcher declining to put it, as it related so immediately to himself,) and carried unanimously, with the exception of one hand which was held up against it.

Some person suggested, that the gentleman who had raised his hand against the resolution had not understood the question.

The gentleman rose and said, I understood it perfectly well. (Some disapprobation.)

Mr Fletcher said, that the gentleman in question was the first person who had showed hospitality to him in London. On his coming to the metropolis, it was at that gentleman's table that he first broke bread, and it was in his bed that he first slept. He believed him to be an excellent man and a Christian, but he also believed him to be deceived. He forgave him, and called upon the assembly to discover no more signs of disapprobation.

Mr J. Douglas moved a resolution, declaring the determination of the

members of the chapel to support the minister whom they loved, and not to suffer themselves to be robbed of the place of worship, which by their voluntary contributions they had erected, for the purpose of his preaching to them the Everlasting Gospel.

The motion was seconded, put, and carried unanimously.

Mr Fletcher observed, that in the presence of Him who was the searcher of all hearts, the impression of that moment would never be erased from his bosom. He would say in the words of Ruth to Naomi—“ With you I will live, with you I will die.” (Applause.)

Two declarations were here read, which, it was announced would lie for signatures of the adult and the youthful attenders of the chapel. They severally expressed approbation of Mr Fletcher's conduct, and a determination to support him.

On the motion of Mr Jones, it was ordered that the managers of the chapel be instructed to draw up and publish a statement in answer to the falsehoods which had been circulated by Mr Kirkaldy and some other members of the Synod, respecting certain proceedings which had taken place in the chapel.

Mr Fletcher then ascended the pulpit and addressed the audience. It might be expected that he would enter into a very full detail of the particulars connected with his unworthy history, but he intended only to advert to a few particulars, leaving the whole subject to be more fully explained in a printed statement, which, by a painful necessity, he felt himself compelled to lay before the religious British public. In the month of April last, an action was raised against the humble individual who was addressing them in the Court of King's Bench. The question that evening was not whether that proceeding was merited ; the question

Upon attention at that stage of the business was, whether that action could have been avoided. He would allow it to be supposed that he had formed the plan—the cruel, deliberate, despicable plan—of violating the most sacred engagements. But it would be necessary to see whether there did not exist strong reasons why the case should not have come before the public. Who were the parties?—One was a professor of Divinity at Glasgow, and he, the other, was a preacher of the Gospel. The character of the former was sufficiently public; but his was more so on account of his locality. Was it not then desirable for the interests of religion, that the case should have been kept out of Court? He believed that there was not a Christian in England in the possession of his faculties who would answer “No.” The interests of religion were involved in the case, and he felt that. He received a letter stating that if he did not marry a certain individual in September, an action would be raised against him. At the time when he received the letter, and, indeed, for a few weeks previously to that period, he was in a state of great affliction. He had a soul to be saved, and it would not avail him to tell them that which was not true. He declared, as a man and a Christian minister, that for several weeks before that letter reached him he had been in a state of extreme agony of mind. Great was his affliction, when a beloved sister died, who was the darling of his heart, and whom he nursed in early age; great was his affliction, when he lost a mother distinguished for her great erudition, her historical lore, and her theological knowledge; great, ~~was~~ <sup>and</sup> was the affliction which visited him when his father expired, and ~~his~~ <sup>his</sup> younger sisters to him as a ~~which~~ <sup>which</sup> he eagerly embraced; ~~state~~ <sup>state</sup> the circum-

stance which had produced an effect upon his mind never to be destroyed. He laboured under a degree of agony, and indescribable suffering of mind, such as he had never suffered before, and such as he trusted he should never experience again. He was in that state when he received the letter to which he had alluded. He knew that the writer of that letter was of an irascible disposition, and that, perhaps, might apologize for its style. Perhaps that individual did not believe that his (Mr Fletcher's) situation was such as he had described to him. He had stated to him that his attachment to the lady was as strong as ever, but that there existed a barrier to their union which Providence alone could remove. The circumstances of the case were stated amongst the managers of the chapel, and he was told by one of those gentlemen that he would be ruined if he did not marry the girl. At this conduct he felt a degree of indignation which he could not repress. He, however, took means to prevent the case coming before a Court of Justice, and for that purpose he wrote to Mr Dick, requesting that the matter might be submitted to the arbitration of four ministers in England; two to be chosen by each party; and of four laymen in Scotland, two to be chosen by each party in like manner; and to abide by their decision. To that letter he received an answer of haughty disdain. He then called on Dr Waugh; with whom he found Mr Broadfoot, and he told the doctor to endeavour to dissuade Mr Dick from bringing the case into Court. Dr Waugh said, “My dear Sandy, I was thinking of the same thing last night in bed.” Dr Waugh and Mr Broadfoot both wrote to Mr Dick to advise him not to agitate the subject in a court of law, and pointing out the door which such a proceeding would open to the sneers of infidelity. Those letters were disregarded. After

that, he was anxious to make any apology that he could, consistently with truth; but it was proposed that he should put his name to a paper which Dr Dick should have it in his power to fill up with what he pleased. Then he said that he would rather die than consent to such a proposal. At length the matter went into court, and Mr Scarlett, after some observations, proposed a compromise, which was accepted.—After that compromise had taken place, he supposed that nothing more would have been said on the subject, and he scrupulously avoided saying anything respecting it himself; what, then, would be thought of Dr Dick's family, when it was known they sent the whole of the papers which had been prepared for the trial to the Presbytery of London, to furnish matter of accusation against him?—[Here Mr Fletcher read Mr Scarlett's speech in the Court of King's Bench.]—Mr Brougham, the counsel for the opposite party accepted the offer of compromise; and his speech contained the following remarkable passage: "The lady does not come here to persecute the defendant: she does not ask for damages by way of compensation for an injury, which no damages can repay, but for the vindication of her character." What was required was given; the reparation which was sought was made; the compromise was accepted; and the Lord Chief Justice declared himself satisfied with the conduct of both parties. He had supposed that the compromise would have satisfied the Presbytery of London, but Mr Broadfoot and some other members of that body were not satisfied with it. He was at that time ignorant that at the very time the compromise was agreed to another plot was brewing against him. He had since learned that some of the parties on leaving the court were heard to mutter—"It is not over with him yet; we have done

with him in a Court of Law, but we will have him in the Ecclesiastical Court." There were only two ways in which the Presbytery of London could have received the documents. They must either have been offered, and that would have been a most dishonourable act, or they must have been solicited. In the latter case it would have been the duty of the parties in the North to have said that they could not give them up, because they had entered into a compromise with the party to whom they referred. He was extremely anxious to know how the Presbytery became possessed of the documents, and he cross-examined Mr Broadfoot pretty closely on the subject. Mr Broadfoot hesitated, but at length said that he had told him. He said, "That may be, Mr Broadfoot, but I positively declare, upon my honour, that I have forgotten it." Mr Broadfoot then changed colour, and said, "Well, I will tell you." He then informed him that a few days after the trial he saw Dr Dick, and told him that the Presbytery intended to take cognizance of the affair; to which Dr Dick replied, that he had got all the papers ready, and that they might have them. Could anything be more invidious than such a proceeding on the part of a family who said, through the mouth of their most eloquent and patriotic Counsel, that they came not into court to persecute him? If they did not wish to persecute him there, it seemed that they were determined to persecute him somewhere else, however. He had now led his hearers up the banks of the stream of calumny with which it had been sought to overwhelm him and pointed out to them the muddy source of malignity whence it issued. He had been obliged to look at parts of the case only, reserving a full detail for a printed statement. He would not detain them by a long account of

the proceedings in the Presbytery.— That body had exercised the greatest severity towards him under the sanction of the very minister who came last Sunday to take possession of the pulpit. So malignant was their conduct, that a brave man who would have shed his blood in the service of his country retired from them, and declared that he would never again return. He was represented as acting extravagantly and like a fanatic in the pulpit every Lord's day. An old lady who had lately arrived in London said to the friend in whose house she resided, "So poor Fletcher is raving, I find. He is quite a madman, and has put everybody out of his chapel." "Well," said her friend, "next Sunday you shall go to see the empty chapel, and hear the extravagant preacher." She went, and lifting up her hands said, "Oh, what falsehoods they tell of him! I never saw the like before." Those who lived in London knew that was the real state of the case; but the good people of the north believed all that was said of him. It was said that the most respectable

part of the congregation were in opposition to him. He was certain that two pews at the utmost would contain all that respectable part of the congregation. The delegates, likewise, indulged in some abuse of the congregation of Wells-street chapel. That was the oldest congregation of their persuasion in London. It might be called their mother—nay, their grandmother; for it was the mother of the Miles's-lane congregation, and that was the mother of the one he was addressing. This, then, their venerable grandmother, was to have her reputation blasted in her old age. After contradicting some other statement of the London delegates, the reverend gentleman concluded by reading the sentence of the Synod of Edinburgh, and the protest which he had presented against it.

After a short hymn and prayer had been gone through, the meeting dispersed.

(These discussions terminated in Mr Fletcher quitting the Secession and setting on foot an independent chapel.)

## No. VIII.

## COMMERCIAL CHRONICLE.

SCOTLAND, it seems, has had considerably more than its share in the improvement of trade last year. The increase of the Customs for the Empire was one-tenth; the increase for Liverpool one-eighth; the increase of the Clyde, the great outlet of North Britain, no less than one-fourth.

## INCREASING PROSPERITY OF LIVERPOOL.

The number of vessels arrived at this port in 1823, exceeded that of 1822 by 591, being in the former year 9,507, measuring 1,120,114 tons. The cotton trade there appears to have no climax, the supplies having prodigiously augmented last year, although unprecedentedly large in 1822. The import into all Great Britain in 1823 was 671,623 bags, of which Liverpool engrossed 578,512 bags, viz.

From	Bags.	Increase. Bags.	Decrease. Bags.
United States	412,020	122,031	
Brazil, &c.....	135,973	341	
Demerara, &c.	8,126	—	7,464
West Indies...	11,735	3,846	
East Indies....	3,142	1,021	
Other Parts...	2,516	1,356	
	<u>578,512</u>	<u>128,595</u>	<u>7,464</u>

The consumption of this article is now calculated to be 10,880 bags per week.

The supply of timber continues increasing from the British Colonies in North America, notwithstanding the new duty, being in 1823 upwards of 5,000,000 feet. The number of hides is also much greater, last year's import being 968,000, and that of 1822, 875,000. The duties received at the Custom-house in 1823, amounted to 1,808,402*l.* 13*s.* exceeding those of 1822, 217,278*l.* 18*s.* 2*d.*

## CHAMBER OF COMMERCE:

Pursuant to adjournment, a meeting was held at the City of London Tavern, for the purpose of resuming the consideration of the plan for forming a Chamber of Commerce in the City of London. About 200 of the most respectable merchants, bankers, ship-owners, &c. were assembled for the purpose of hearing the result of the proceedings which had taken place since the last meeting.

Mr Manning, M. P. took the Chair, and after stating the proceedings at the former meeting,

Mr John Smith, Chairman of the



Committee went through a detailed statement of the measures which had been adopted from the first agitation of the question for the formation of a Chamber of Commerce in the metropolis, upon the same principles as those existing in many of the principal cities and outports of the United Kingdom. He, in the first instance, addressed the following letter to the Earl of Liverpool:—

“ New-street, Spring-gardens,  
“ Sept. 23. 1823.

“ MY LORD—I have the honour to transmit to your lordship the Report of a Committee of merchants and bankers, appointed to conduct an important application to Parliament, which received your lordship's sanction and support; and the general meeting of merchants and bankers, participating fully in the gratitude expressed by the committee, directed me, as their chairman, to communicate to your lordship the account of their proceedings, as the most respectful mode of acknowledging their obligation to your lordship.

“ I have the honour to be, my lord,

“ Your lordship's most obedient

“ and faithful humble servant,

“ J. SMITH.

“ To the Earl of Liverpool, &c. &c.”

Since then he had had several interviews with the noble lord upon the subject, the result of which would be fully seen upon the perusal of the following letter, which he had received within the last few days, and subsequent to their former meeting:—

“ Fife House, March 26. 1824.

“ SIR—The Chancellor of the Exchequer having communicated to me the Report of the Committee presented at a public meeting of merchants, bankers, and ship-owners, on the 18th day of March, on the expedience of establishing a Chamber of Commerce in the City of London, I think it right

to apprise you of my sentiments as to the intended institution.

“ I do the fullest justice to the motives of those who have set it on foot; but I am satisfied that it is wholly unnecessary, that it can be productive of no real advantage, and that it may eventually lead to much evil and inconvenience.

“ I can quite understand the advantage arising from particular interests associating for their own special protection; but I can see no benefit likely to result from a general association such as that now proposed; and if any particular interest should acquire a preponderating influence in it, (which it may be difficult to prevent,) the institution might in that case operate most injuriously upon all other interests and branches of industry.

“ I do not think it necessary to trouble you by entering into further details on this subject, after having candidly stated to you my opinion; but I am sure it will occur to you, that in every respect there must be a material difference between an institution of this nature in the outports and manufacturing towns, which are at a considerable distance from the seat of government, and such an establishment in the city of London, where all persons who may feel themselves aggrieved have such easy and immediate access to the executive government and parliament.

“ I have the honour to be, your very obedient humble servant,

“ LIVERPOOL.

“ John Smith, Esq. &c. &c.”

He regretted that the noble lord differed with him as to the utility of such an institution as the one proposed, of the advantages to arise from which to the great commercial body of the city of London he felt, and should continue to feel, most sanguine. He should propose a series of resolutions,

by which the subject would rest to afford time to inquire whether any modifications could be made by which the objections of his Majesty's ministers might be removed, and the prospects of the original plan preserved. He concluded by reading certain resolutions for the above purpose.

Mr Hibbert proposed an amendment to the effect, "That it appeared to the meeting, that no real benefit was likely to result from the establishment of a Chamber of Commerce in the city of London, but on the contrary such a measure would be attended with many injurious effects."

Mr Tooke seconded the amendment.

Mr Freshfield spoke at considerable length in favour of the project.

Mr J. Young was firmly convinced that every separate branch of commerce ought to be represented by members of its own body. This was the most natural and efficient course; and he considered it quite unnecessary to seek protection from any united body so long as the interests of each different denomination of trade could, through its own members, meet with that attention and redress which other towns from their distance from the seat of government, were deprived of.

Mr John Hall, at the time of his joining the committee, entertained very unfavourable ideas to the institution; but from what he had seen since his becoming a member of the committee, he felt strongly prepossessed that its adoption would be of infinite benefit to the general commercial interests of the city of London.

After some observations from Mr Freese, Mr Colvin, and others, the amendment was negatived.

The following resolution was proposed by Mr Benjamin Shaw, seconded by Mr Freese, and adopted:—

"That this meeting, being impressed with the conviction that the advantages to be derived from a Chamber of

Commerce in the city of London must greatly depend upon an unrestrained and cordial communication with the several branches of his Majesty's government for the time being; it has learnt with deep regret from a communication recently addressed by the right hon. the Earl of Liverpool to John Smith, Esq. M. P. chairman of the late committee, that strong objections are entertained by his Majesty's Ministers to such an association being formed within the City of London; that under such circumstances, it is expedient to defer the consideration of said report until it shall have been ascertained whether any, and, if any, what modifications of the project will meet the inconveniences which it is apprehended might arise from such an institution in the metropolis, distinguished from similar existing associations in several of the ports of the United Kingdom, some of which have received the special sanction of the crown, and all of them enjoying the countenance of his Majesty's government."

Copies of this day's resolutions were directed to be forwarded to the Earl of Liverpool and the President of the Board of Trade; and after the thanks of the meeting being voted to the committee and chairman, the meeting broke up.

#### SPANISH BONDS.

The following communication has been posted at the Foreign Stock Market, from Messrs Haldimand and Co., the Contractors of the Spanish Constitutional Loans, explaining the reasons why the dividends have not been paid:—

"24, Cateaton-street.

"SIR—We regret to inform you that we have received, by express, a letter from Messrs Ardoin, Hubbard, and Co. the Contractors of the Spanish Loans of 1821 and 1823, of which we think it our duty to send you a copy.

as well as a translation, for the information of the public; and we are sorry we have nothing further to communicate on the subject.

"We are, sir, your most obedient servants,

"A. F. HALDIMAND & SON."

(TRANSLATION.)

"Paris, April 28. 1824.

"GENTLEMEN—In answer to your letter with which you have honoured us, under the date of the 20th of this month, again relating to the payment of the half-yearly dividends falling due on Spanish Stock, it is our painful duty to inform you that no funds have been transmitted us by the Spanish government for that purpose. In making this very unpleasant communication to the English public, we beg you will not omit to state, that nothing has been wanting on our part to obtain the payment of so just a debt; and that if, amidst the conflict of passions, we thought it best for the public interest to delay making any official claim, and if also, with the disposition manifested respecting those various loans by the Spanish government, we have avoided making a direct application, which might hereafter become an obstacle to the act of justice of which we are still unwilling to despair; we have, nevertheless, made indirectly every effort to induce the government to come to a decision, dictated at once by equity, good faith, and its own true interests. We have the honour to be, &c. (Signed)

"ARDOIN, HUBBARD, & Co.

"Messrs A. F. Haldimand & Son, \*  
"London."

"The following proceedings of the Mexican Congress, in its sittings of the 30th and 31st of March, are of some importance to the commercial world.

## MEXICAN CONGRESS.

*Session, 30th March, 1824.*

"The acts of the last session having been approved, and many official communications from the government read, the discussion was then taken up on each article of the foreign merchandize included in the list presented by the Secretary of the Treasury—when it was decided that the following should be prohibited:—

"Spirits distilled from the cane, or other than grape; garlick, onions, pepper of every kind, starch, beans and peas, aniseed, caraway seed, rice, sugar, molasses, coffee and pumpkins, linen, and cotton goods, cotton wool generally, thread, No. 60, or of not less than sixty hanks of thread; ready-made loose robes; drawers, shirts, night-shirts, night-gowns, shawls (cotton), white or coloured tapes, bed-quilts, bed-tapestry, cords of all kinds, curtains of every kind, linen bagging, aprons, petticoats, sleeves of every sort, shirt-ruffles, ready-made clothes of all descriptions; sheetings; ready-made dresses, under and over clothes, and all ornaments for wearing; goods made of wool and hair—small-clothes, women's and men's cloaks, table-covers, coats, waistcoats, sashes, bed-spreads, curtaining, tippets, muffs, coarse cloths, second and third quality; ready-made clothes of every kind manufactured from silk—men's small-clothes, cloaks, waistcoats, laces, and edgings, figured and ornamented laces."

*March 31.—Session Continued.*

"The following articles agreed to be prohibited:—Hides and peltries of all kinds, dressed or undressed, and all articles manufactured from them—buck skins, shamois, sheep and buffalo skins, boots, leather halters, buck skin breeches, slippers, shoes, leather hats, sole-leather, earthenware, glazed and

unglazed ; bricks of every description, tiles, earthen jars, copper, in pigs or sheets ; lead, in pigs or shot ; shoulder-knots of all descriptions for the military, or other purposes ; laces of every kind ; wood of every kind ; tobacco in leaf ; and gunpowder—these last two articles a monopoly.

“ The foregoing can be imported into the ports of the confederation, from all parts of America, for the term of four months ; and if from Europe, six months are allowed, from this date, for the ports on the Atlantic or Bay of Mexico ; but if to any of the ports on the Pacific, by vessels from Europe or Asia, they shall enjoy the term of eight months from said date.

“ All other articles not mentioned here, remain as rated in the temporary tariff, heretofore made and adopted by the government on the 20th January, 1822.”

: By accounts which we have received from Leipsic, of the 9th May, it appears that the Easter Fair, at its beginning, was much more favourable than there was any reason to expect, after the accounts received from Frankfurt. Very extensive business was done in the Woollen Cloths and Leather.

“ Though the prices are not so high as to afford extraordinary profits, yet the great quantities sold make up for this. Of the Saxon and Prussian ordinary and middling Cloths, almost all the stocks, even those that have been long lying in the warehouses, are already disposed of, and partly even at better prices than at the last Michaelmas fair. Even fine Saxon Cloths have been much more in demand than for a long time past.

“ The principal purchasers are from Switzerland, and the North and South of Germany ; but very few foreigners, which makes it the more surprising that there should be so great a quantity of goods sold. A good beginning,

too, has been made in the sale of English manufactured goods, and on the whole we expect a very good fair. The retail business of the place is very indifferent, and much diminished by the vicinity of the barriers, where tolls are levied on other States.”

LEIPZIG, June 10.—The quantity of Wool at our fair, which is just finished, has been between 38 and 40,000 quintals. By a calculation not entirely to be depended upon, there has been sold to foreigners, 26,000, and to the Germans 12,000 quintals, and the rest kept in store. The prices of the finest quality were from 125 to 140 Rs. and some very fine samples brought 170 Rs. per quintal. The average prices are as follows:—Fine Wool, 100 to 124—less ditto, 80 to 90—middling, 80 to 85—ordinary, 50 to 60. The finest and fine Wool had already been sold before the real beginning of the fair ; and even for the ordinary quality the average prices were from 10 to 12 per cent. higher than last year ; some change, however, occurred in this respect toward the end of the market, when the prices lowered to last year's quotations. Never was the quantity of foreign buyers so considerable, particularly from England ; yet it deserves notice, that a part of the finest wool went towards the North to Warsaw, and to the South towards Bruun.

#### WEIGHTS AND MEASURES.

Among the many useful measures that passed in parliament last session, not the least important is “ An Act for ascertaining and establishing uniformity of Weights and Measures ” in the United Kingdom of Great Britain and Ireland. As all our readers are more or less interested in this statute, we lay before them the following account of it:—

After 1st May 1825, a measure re-

ferred, to be being in the custody of the clerk of the House of Commons, is declared to be the "Imperial standard yard," and shall be the only standard measure of extension, from which every measure in the kingdom, whether lineal, superficial, or solid, shall be computed and ascertained; one third part of the said standard yard shall be a foot, the twelfth part of said foot an inch:  $5\frac{1}{2}$  such yards a pole or perch, 220 such yards a furlong, and 1760 such yards a mile. Superficial measure shall be computed from the said yard, the rood of land to contain 1210 square yards, the acre 4840 yards, being 100 square perches, poles, or roods.

After the 1st May 1825, a brass weight, also referred to as being in the custody of the clerk of the House of Commons, is declared to be the "Imperial standard troy pound," from which all other weights shall be derived, computed, and ascertained; one-twelfth thereof shall be an ounce, one-twentieth of such ounce shall be a pennyweight, and one twenty-fourth part such pennyweight shall be a grain, and 5760 such grains a pound troy; 7000 such grains to be a pound avoirdupois, one-sixteenth of said pound an ounce, and one-sixteenth of such ounce shall be a dram avoirdupois weight.

After the 1st of May 1825, a brass measure to be made under the direction of the treasury, and to contain 10lbs. avoirdupois weight of distilled water, weight in air at the temperature of 62° Fahrenheit, is declared to be the "Imperial standard gallon," and shall be the only standard measure of capacity, as well for liquids as for dry goods not measured by heaped measure, and from which all other measures of capacity shall be computed and ascertained; one-fourth part of said gallon being a quart, one-eighth a pint, and two such gallons a peck, eight

such gallons a bushel, and eight such bushels a quarter of corn or other dry goods not measured by heaped measure. The standard measure of capacity for coals, lime, potatoes, and other goods commonly sold by heaped measure, shall be the aforesaid bushel, containing 80lbs. of avoirdupois of water as aforesaid, the same being made round, with an even bottom, and being  $19\frac{1}{2}$  inches from outside to outside; and in using such bushels for heaped measure, the goods shall be duly heaped in form of a cone not less than six inches in height, and the outside of the bushel shall be the extremity of the base of such cone; three bushels to be a sack, and twelve sacks a chaldron.

Copies and models of the standards of length, weight, and measure, are to be made and verified, under the direction of the treasury, and the justices of the peace for the counties, and the Magistrates of royal burghs shall, within six months from the passing of the act (17th June 1824,) purchase for their respective counties and burghs, a model and copy of each of the aforesaid standards, and of each of the parts and multiples thereof; which models and copies shall be placed for safe custody and inspection with such persons and in such places as the Justices may appoint, to be produced at any time and place within the county or burgh, as any person by a writing under his hand shall require, he paying the reasonable charges of the same. The expense of purchasing these models is to be assessed with the land tax on counties and burghs.

Where reference cannot easily be had to standards, the act favours country Magistrates with the following easy practical rule for ascertaining the measures of capacity:—In that case it shall be lawful to any Magistrate, when the correctness of any measure of capacity is disputed, to ascertain the correctness of such measure by direct

reference to the weight of pure or rain water which such measure is capable of containing; 10lbs. avoirdupois weight of such water, at the temperature of 62° Fahrenheit's thermometer, being the standard gallon ascertained by this act, the same being in bulk equal to 277 cubic inches and 274-1000th parts of a cubic inch; and so in proportion for all parts or multiples of a gallon."

After the 1st of May 1825, all contracts for sale &c. by weight or measure, shall be holden to relate to the said standards, unless the contrary is specified; and if any agreement shall make a reference to any local weights or measures, it shall be null and void, unless the agreement shall specify the rate or proportion which such local weight or measure shall bear to the imperial standard weights and measures.

After the 1st of May 1825, no new weights and measures shall be made, except in conformity with the said standards; but persons may use the existing weights and measures in their possession, provided that the ratio or proportion which such existing weights or measures bear to the standards, be painted or marked on the existing weights and measures. The regulations and penalties of former acts respecting weights and measures are declared, to apply to the new act, for enforcing observance to it.

For the purpose of converting all stipends, rents, and other demands presently payable in grain, malt, or other commodities in Scotland into the standard weights and measures established by the act—the statute provides that the sheriff of each county shall, as soon as conveniently may be, after the expiration of six months from the passing of the act, summon a jury of the same number and qualifications as a flurs jury, to inquire into and ascertain the amount according to the

standards by this act established," of all such stipends, rents, &c. payable according to the weights and measures in use in the shire: "and the amount so to be ascertained shall, when converted into standard weights and measures, be the rule of payment in regard to all stipends, &c. in all time coming."

### NEW PROJECTS.

Projects for the investment of capital have extended to all parts of the kingdom, and there are now before the House of Commons bills to legalize the following companies and objects. This list is made from the Journals of the House.

1. Manchester Equitable Loan Society.—2. London Equitable Loan Institution. [Capital two millions.]—3. Edinburgh Australasian Company, &c. [This Company, we believe, previously existed.]—4. Manchester Benevolent Society.—5. St Katharine's Dock Company.—6. Tunnel under the Thames, from Rotherhithe.—7. South London Docks Company, for making Wet Docks, Warehouses, Basins, &c. in and near St Saviour's Dock, Bermondsey.—8. Counters Bridge Creek (which separates Kensington from Hammersmith) Canal.—9. St Katharine's Suspension Bridge. [The Corporation of London, April 2, petitioned against this Bridge Bill.]—10. Hammersmith Bridge Bill, for building a Bridge at Hammersmith, across the Thames, to the parish of Barnes.—11. London and Westminster Oil Gas Company.—12. Compressed Gas Company.—13. United General Gas-Light Company.—14. Portable Gas Company.—15. Oil Gas Company (Dublin).—16. Phoenix Gas Company.—17. Manchester; 18. Leeds; 19. Greenwich; 20. Margate and Ramsgate; 21. Edinburgh;

22. Aberdeen; 23. Hereford, &c. Gas Companies.

**IRELAND.**—24. Irish Annuity Company, for lending Money on Annuities and other Securities.—25. Hibernian Mining Company (No. 1.)—26. Mining Company, Ireland (No. 2.)—27. Irish Patriotic Assurance Company. [Previously formed.]—28. Dublin Equitable Loan Society.—29. Royal Irish Mining Company (No. 3.) Thus there are to be *three* Companies incorporated on this subject, according to the different titles that appear in the Commons' Journals.—30. Bogs, Ireland. Bill to incorporate a Company, established for the purpose of reclaiming and draining Bogs and Barren Heath and Waste Lands in Ireland; and for improving, planting, and cultivating the same.—31. Dublin Oil Gas Company.

These are general Companies, and will employ a vast deal of capital. The shares in many—such is the *rage* for speculation, and for any prospect of profitably employing money—have already been bought and sold at *high premiums*! The above list is what may be termed *new* list; that is, public general companies now first projected; but, independently of these, there are now before the House of Commons nearly *two hundred and fifty* other private Bills, for Roads, Markets, Bridge, Canal, and Gas Companies, (not mentioned in the above list,) as well as Bills for Inclosures, Improvements of Towns, &c.

Several other new projects are preparing for public notice, sanctioned by more or less degrees of respectability, and offering more or less probabilities in favour of ultimate success. In respect to the number of new schemes for the employment of money, London, and, indeed, the country in general, strikingly resembles what it was at the period of the South Sea scheme,

when scarcely any project was too absurd to obtain support.

#### MINES OF MEXICO.

Great public interest has been excited of late by the formation of companies in London, whose object it is to work the silver mines of Mexico, and who have raised large capitals for that purpose. We have made the best inquiries in our power upon this subject, and we are enabled to lay before our readers some correct information, which will, we have no doubt, be acceptable, as it relates to undertakings which may have great influence on political events, may enlarge our commercial relations, and extend the field of scientific research.

The mines of Mexico, though rich, have been abandoned, owing to the joint operation of natural causes, and of others arising from long-continued domestic contentions. The first of these causes related principally to the difficulties arising from increasing depth, and the consequent insufficiency of the means possessed to extract the water and the ore: these, it is expected, will be easily overcome by the application of our machinery, directed by competent skill to be supplied by persons sent from this country. The other obstacles are likely, it is hoped, to be removed by the settlement of differences among the provincial governments, and the arrangement of a legislative body agreeable to the whole.

The first company which has actually contracted for mines, is called the *Anglo-Mexican Mining Association*, and possesses a capital of one million sterling, in shares of 100*l.* each. The mines which are engaged are principally in the Real of Guanajuato, near the city of that name, about 200 miles north-west of the city of Mexico; they include that of Va-

Enciana, which is stated to have been carried to the extraordinary depth of 350 fathoms. This mine is spoken of at large by Baron Humboldt in his interesting works upon New Spain, and is reckoned by him to have alone produced one-fourth of the silver of Mexico. It was originally quite free from water, but has been inundated by the influx from an adjoining mine, Tepryac, and has been nearly filled in the last twelve years, owing principally to the neglect caused by civil commotion. There are other mines also situated upon the same vein (the vetamadre of Guanaxuato,) some of which will be worked by the company.

Several steam-engines, as well for pumping out the water as for drawing up the ores, and for stamping and reducing them to a proper state for amalgamation and smelting, are already constructing in this country, and a select body of miners from Cornwall are engaged to go out and conduct the various operations. The enterprise will be intrusted to Colonel Robinson, an officer of distinguished activity and merit, who will shortly leave England to commence operations. The directors in London have been chosen from among gentlemen of great respectability and influence; and the establishment, which will be of an extent commensurate with the magnitude of the object, is arranging under the direction of John Taylor, Esq. whose connexion with the largest mines in this country is very well known.

The second company consists principally of individuals engaged in mining in England, who have undertaken to work the mines in Real del Monte, about sixty miles north of the city of Mexico, belonging to the Conde de Regla, a distinguished Mexican nobleman; and also the mine of Moran,

nearly adjoining, the property of Thomas Murphy, Esq. who was long resident in the country, and of Don Fausto d'Elhuar, formerly President of the Mining College of Mexico. This company has raised a capital of 200,000*l.* in 500 shares of 400*l.* each. Their arrangements here are also intrusted to Mr Taylor; but we have not heard whether their foreign appointments are made, although it is understood that their preparations are in great forwardness. The mines of Real del Monte are not represented as so rich as those of Guanaxuato, but they are spoken of by Humboldt as having been very productive. They are more troubled with water than the others, from which they have from time to time been relieved by levels driven through great distances and at enormous charges; the works were extended below these adits as far as the skill of those employed could carry them, but the depths to be drained by machinery are not very great. The mine of Moran was selected many years ago as a proper place for trying the effect of a water-pressure engine which was erected by a German engineer; but after it had drained the mine in a rainy season, it was found that in the long droughts the supply of water to keep it in motion was insufficient to produce any regular effect, and the working was discontinued.

The prospectus of another company has also lately appeared, whose capital is to be 240,000*l.* in 6000 shares of 40*l.* each. This association is formed to work mines, to raise or purchase gold and silver ores or metals, and to smelt, reduce, refine, and separate the same, by the combination of European skill and capital with Mexican interests, through the medium of Don Lucas Alaman, a native of and residing in Mexico; but it has not been



deemed expedient to enter into actual contracts for working mines until the association be formed, and the extent of its capital ascertained.

**PROSPECTUS OF A WOOL-STAPLING COMPANY IN SCOTLAND.**

The quantity of wool annually produced in Scotland is estimated to be worth from two to three millions sterling. Three-fourths, at least, of this quantity, are exported into England, where it undergoes the process of stapling, by which the value of the commodity is raised about 30 per cent.

The process of stapling consists, substantially, in assorting the different qualities in the same fleece, according to their relative fineness, by which the fleece is generally divided into eight or nine different qualities; and it is always reckoned that the stapler sells the coarsest sort of wool at the same rate at which he originally bought the whole, the finer sorts, of course, selling at a much higher rate. Supposing the annual exports of wool from Scotland, therefore, to be only one million sterling, still 30 per cent. on that sum would amount to 330,000*l.*, as the annual profits derived by the staplers in England from Scottish wool, at the lowest computation.

It has, therefore, been resolved to establish a company in Scotland, on the joint-stock principle, to be called "**THE SCOTTISH WOOL-STAPLING COMPANY**," with a capital of 200,000*l.* in 8000 shares, of 25*l.* each; of which stock no individual or company will be permitted to hold more than eighty shares. And in order more effectually to secure the permanence and stability of the Company, it is thought it will be necessary to apply for an act of Parliament.

Among the advantages to arise from such a national establishment, besides

affording a good return to the shareholders for the capital invested, will be the securing a ready market, and of course a fair price, for Scottish wool; the putting an end to the monopoly in wool that exists at present in the hands of the English staplers; the gradual improvement of the wool crops throughout Scotland, and, consequently, of its woollen manufactures.

One of the objects of the Company, besides the purchasing and stapling of wool, will be to make advances to the growers, on wool stored with the Company, to bear interest till such advances are repaid, with the expenses of stapling, when the wool is sold.

The present scheme has met with the unqualified approbation of several landed proprietors and practical persons, to whom it has been communicated; and it is believed, it will only be necessary now to give it publicity to secure for it the support of a large proportion of the landed interests in the grazing districts of Scotland. The further details, as to management, &c. must be reserved for a General Meeting of the Proprietors, to be called so soon as one-half of the proposed capital has been subscribed. In the meantime, the following gentlemen have agreed to act as an interim Committee of Management, and for receiving subscriptions, viz. :—

**SIR WALTER SCOTT**, of Abbotsford, Bart.;

**COLIN MACKENZIE**, Esq. of Portmore;

**HECTOR M. BUCHANNAN**, Esq. of Drumakiln;

**WM. MACKENZIE**, Esq. Writer to the Signet;

**NORMAN LOCKHART**, Esq. Writer to the Signet;

**MATTHEW NORMAN MACDONALD**, Esq. Writer to the Signet.

The following has been given as nearly a complete list of the joint-

stock companies formed within the last few months :—

RAILROADS.	Capitals.
Bath and Bristol . . . .	
Birmingham and Liverpool . .	£600,000
Bristol and Birmingham . . .	800,000
Bristol Northern and Western . .	
East London and United Dock . .	
Grand Western . . . . .	3,000,000
Grand Junction . . . . .	2,000,000
Hibernian General . . . . .	1,000,000
Kentish . . . . .	
Limerick and Waterford . . . .	300,000
London and Birmingham . . . .	
London and Bristol . . . . .	
London Northern . . . . .	2,500,000
London, Portsmouth, and Southampton . . . . .	1,000,000
Manchester and Leeds . . . . .	500,000
Manchester and Liverpool . . . .	300,000
Norfolk, Suffolk, and Essex . . .	1,000,000
Royal Hibernian General . . . . .	
Surrey, Sussex, and Hants . . . .	750,000
Taunton . . . . .	200,000

#### BANKING, LOAN, INVESTMENT, AND ASSURANCE COMPANIES.

Alliance Fire and Life . . . . .	5,000,000
Alliance Marine . . . . .	2,000,000
British Annuity . . . . .	3,000,000
British Paving, Building, and Investment . . . . .	2,000,000
British Shipping Loan Company . .	1,000,000
Crown Life Assurance . . . . .	1,500,000
Equitable Investment Society . . .	2,000,000
Equitable Loan Bank . . . . .	2,000,000
Hibernian Joint Stock Company . .	
Irish Investment Bank . . . . .	500,000
Investment Bank . . . . .	200,000
Irish Investment and Equitable Loan Bank . . . . .	500,000
London and Manchester Equitable Loan Bank . . . . .	500,000
Metropolitan Banking Company . .	500,000
Metropolitan Investment Society . .	2,000,000
Medical, Clerical, and General Life Insurance . . . . .	1,000,000
Metropolitan Loan and Investment Company . . . . .	1,000,000
Palladium Fire and Life Assurance .	2,000,000
Protector Fire Assurance . . . . .	5,000,000
Promoter Benefit Company . . . .	60,000
Provincial Bank of Ireland . . . .	2,000,000
United British and Foreign Loan Company . . . . .	2,500,000

#### GAS COMPANIES.

British . . . . .	
Birmingham and Staffordshire . .	£100,000
Continental . . . . .	2,000,000
Gas Engine Carriage Company . . .	200,000
Hibernian . . . . .	1,000,000
London Portable Gas Company . . .	
New Imperial ditto . . . . .	250,000
Provincial ditto . . . . .	1,000,000
Phoenix ditto . . . . .	450,000
South American and Colonial Gas ditto . . . . .	1,000,000
United General Gas . . . . .	2,000,000

#### BRITISH AND IRISH MINES.

British Mining Association . . . .	400,000
Equitable Mining . . . . .	200,000
English Mining . . . . .	250,000
Hibernian Mining Company . . . .	500,000
Irish Mining . . . . .	
Mr Rothschild's Welch Mining Company . . . . .	
South Wales ditto . . . . .	2,000,000
Welch Iron and Coal ditto . . . .	250,000

#### FOREIGN MINES, &c.

Anglo Mexican . . . . .	1,000,000
Anglo Chilean . . . . .	1,000,000
Argona Iron and Coal . . . . .	300,000
Bolanos . . . . .	
Brazilian . . . . .	1,000,000
Chilian . . . . .	1,000,000
Colombian . . . . .	1,000,000
General Mining Association . . . .	
Gold Coast Mining . . . . .	
General South American . . . . .	2,000,000
New Brazilian . . . . .	
Pasco Peruvian Mines . . . . .	2,000,000
Pearl Fishery . . . . .	725,000
Real del Monte . . . . .	200,000
Rio de la Plata . . . . .	1,000,000
Tlalpaxahua . . . . .	400,000
United Mexican Mining Company . .	240,000

#### SHIPPING AND DOCK COMPANIES.

British and English Channel Shipping Canal . . . . .	750,000
Bermondsey Collier Dock . . . . .	750,000
Bermondsey Dock . . . . .	800,000
Faversham Navigation . . . . .	
General Steam Navigation . . . .	2,000,000
London and Portsmouth Ship Canal . . . . .	5,000,000
London, Brighton, and Devonshire Fishing Company . . . . .	500,000

St Ives New Pier . . .	£30,000
South London Dock . . .	750,000

## MISCELLANEOUS COMPANIES.

Australian Agricultural Company	1,000,000
Alderney Dairy . . .	750,000
Bognor New Town . . .	300,000
British Distillery . . .	200,000
British Iron . . .	2,000,000
British Fishing Company . . .	1,000,000
British Patent Brick's . . .	300,000
Canada Company . . .	
East London Dairy . . .	125,000
General Coal Company . . .	
General Journal Company . . .	250,000
Great Westminster Dairy . . .	200,000
General United Coal . . .	2,000,000
Kent and Essex Flour Company	210,000
London Brick Company . . .	500,000
Metropolitan Marine Bath . . .	500,000
Metropolitan Milk . . .	
Metropolitan Fish Company . . .	500,000
Metropolitan Water-works Com- pany . . .	500,000
Metropolitan Alderney Dairy . . .	50,000
New Corn Exchange . . .	
Royal National Bath . . .	250,000
Sea and Inland Coal . . .	
South London Milk . . .	100,000
Thames Quay Company . . .	611,000
Thames Tunnel . . .	200,000
Westminster Fish . . .	100,000

List of the principal Joint Stock Companies which have been publicly proposed, and separately, or by union, established in Edinburgh, within two months:—Edinburgh and Leith Dock Company; Edinburgh and Dalkeith Rail-road Company; Edinburgh and Glasgow Rail-road Company; Berwick and Kelso Rail-road Company; East Lothian Rail-road Company; Scottish Union Insurance Company; Commercial Marine Insurance Company; Scottish Union Banking Company; National Bank of Scotland; Scottish Union Commercial Banking Company; Scottish Wool-Stapling Company; Shotts Iron Joint Stock Company; Caledonian Iron and Foundry Company; Edinburgh and Leith Glass Company; Albion Glass Company; Scottish Porter-Brewing

Company; Caledonian Porter-Brewing Company; British Distillery Company; Joint Stock Whale-Fishing Company; Edinburgh Cotton and Flax Spinning Company; Edinburgh Dairy Company, for the supply of Milk, the feeding of Veal, the making of Cheese, &c. &c.; Caledonian Dairy Company; Equitable Loan Company; Pawnbroker Company; Albyn Company, for the purpose of investing Money on Heritable Properties in Edinburgh, &c. &c.; Equitable Building Company, for the purpose of building Houses in the vicinity of Edinburgh for Workmen, &c. &c.; Joint Stock Company for the Manufacturing of Paper; Joint Stock Company for the Printing of Law-papers.

The tenth report of the Commissioners of Inquiry of the Irish Revenue has been printed. It recommends some very extensive changes, and considerable reductions, in the customs' establishments at several of the ports of Ireland. The sum of the reduction proposed on the several ports of Ireland is 55,471*l.*, which forms a very large per centage on the whole expenditure.

BRUSSELS, *April 6.*—By a decision of the Minister for Colonial Affairs, dated the 13th, the list of inscription for the Society of Commerce of the Netherlands is closed. The following are the sums subscribed in various cities:—

Amsterdam . . .	34 millions.
Rotterdam, above . . .	11 ditto.
Middleburg . . .	2 ditto.
Ghent . . .	2 ditto.
Antwerp, above . . .	16 ditto.
Ostend . . .	1 ditto.

At Bruges, Tournay, &c. the sums subscribed were considerable. At Antwerp, one house subscribed 1,500,000 florins, a second 1,000,000, a third 840,000, a fourth 800,000, and a fifth

## COMMERCIAL•CHRONICLE.

500,000} and several for 2, 3, and  
400,000 florins. The amount of the  
sums inscribed in the space of thirty-  
six hours in the cities named by his  
majesty's decree is estimated at one  
hundred millions of florins. Such a  
result demonstrates two things: 1st,  
The enormous amount of capital in  
this kingdom; and, 2dly, The gene-  
ral confidence in this great operation.

An historical account of the Danish  
Asiatic Company has just been pub-  
lished. From the table annexed, we  
find that, from the year 1732 to 1745,  
seventeen ships sailed for China, and  
twenty to the East Indies. Their car-  
goes were worth 3,973,474 rix-dollars.  
The goods brought back in exchange  
were sold by auction for 7,470,761

rix-dollars. From 1746 to 1771, for-  
ty-nine ships went to China; their  
cargoes were worth nearly 15,700,000  
rix-dollars. The sum realized out of  
the sale of the return-cargoes was  
30,539,807 rix-dollars. From 1772  
to 1791, forty ships went to China, and  
159 to India; the value of their car-  
goes was nearly 21,470,000 rix-dol-  
lars; that of the returns, 71,660,000  
rix-dollars. On the one hand, we  
here see with pleasure how important  
to the country this company once was,  
but it is painful to reflect how this  
trade has dwindled away to nothing in  
later times, and how the 4800 shares,  
which were formerly worth ten mil-  
lions, are now scarcely worth half a  
million.

## LOCAL IMPROVEMENTS.

SWANSEA, *January 9.*—We congratulate our townsmen on the immediate prospect of the opening of the whole line of the New Canal, which is to connect this port with the Vale of Neath, and with the rich country eastward, up to the Brecon hills; it is now navigable through nearly the whole line, and may be expected to be in full action within a few weeks from this time. It extends nine miles in length, with a collateral cut of a mile on one level, without a rock, and passes under Neath Bridge, being separated from the river by solid masonry, over which the towing-path is carried; it is then raised by a single lock to the level of Neath Canal, which it joins by a stone aqueduct (of 10 arches) over the river Neath, connected with another aqueduct of iron over a navigable stream adjoining—the lock, with a bridge across the canal, and the two aqueducts, present to the eye a line, measuring 170 yards in length, of the very best masonry, in causeways of stone from neighbouring quarries, not surpassed in quality by any in Great Britain. This work immediately adjoins the picturesque waterfall of Dylais, was commenced in May last, and has been executed without any accident, although the land floods have been remarkably high since that period; the mountain torrents rose to the caps of the arches, whilst in progress, without displacing a single stone. As a specimen of taste as well as of workmanship, this structure does the highest credit to Mr

William Kirkhouse, the architect and engineer, to Mr William Davies, the working mason, and to Mr William Williams, the working carpenter. Many other specimens of striking skill and judgment in these individuals may be observed through the whole line; the towing path (without a single gate) will tempt horsemen, by the shortest cut between Swansea and Neath, to enjoy the beauties of very delightful scenery; whilst those who prefer pleasure-boats will have full access to the like enjoyment, without the encumbrance of locks; and daily packet-boats will enliven the scene.—We have much satisfaction in adding, that any apprehensions, which some few individuals unacquainted with the whole design, may have hitherto entertained, with regard to their particular interests, have now, on better information, altogether subsided; all classes seem to unite in opinion, that this communication will produce great public good, whilst they cordially concur in the very liberal sentiments of the gentlemen performing the duties of harbour trustees, in respect of accommodations to the individual who has accomplished this work.

### TEES AND WEARDALE RAILWAY.

Owing to the present prosperity which happily smiles on our native country, the spirit of public improvement is everywhere diffusing itself. Amongst other undertakings of a local nature, is the *Tees and Weardale Railway*. It is intended to commence

about four miles below Stockton, at the mouth of the Tees, and to run inland about 26 miles, to Willington, which is in the vale of the Wear, between Durham and Wolsingham. About 13 miles from its commencement, this railway will enter the *limestone* district, and about a mile farther the *coal* district, which continues to near Wolsingham, near which place, and in the upper parts of Weardale, is the *lead* country. The prominent object of the measure is to connect the extensive coal-field which lies in the south-west part of the county of Durham, with the river Tees in deep water, so as to facilitate the transport of the coal to the sea for exportation coastwise, for the supply of London, and the Eastern and Southern coasts of England. The coal-seams in this district are, from their thickness and quality, adapted for general consumption; and the easy depth from which the coals are to be drawn, will admit of their being worked at an expense considerably less than the coals with which the London and other south-country markets are at present supplied. Coals for consumption in London, and the south of England, will thus be obtained at a reduced price, if the proposed undertaking shall be carried into effect. By reason of the coal in this district lying above the level of the sea, no explosive atmosphere exists in the mines; and the persons employed in working them are consequently free from the calamity of explosion, which occurs in deeper mines. Such are the claims which this undertaking lays to support, on public and *national* grounds. Its *local* recommendations are stated to be as follows: The inhabitants of Stockton and its vicinity, and of the north-eastern part of Yorkshire, called Cleveland, forming a large population, will be enabled, by means of this railway, to procure coal for home consumption, at half the price

it now costs them. The railway will meet the Great North Road at Sunderland Bridge, within three miles of the city of Durham; thus aiding the conveyance of merchandize between that city and the port of Stockton. The land in the district through which the railway is to pass, is mostly of inferior quality, and will be much benefitted by the cheap transportation of lime and other manures.

*Rise in Union Canal Stock.*—We are glad to learn that this great undertaking, which has been of such immense benefit to the City of Edinburgh, holds out now so very flattering a prospect to the subscribers. The forfeited shares, above 80 in number, were sold on the 21st ult. by public sale, and produced the following prices:—

20 Shares of £50 each sold for	£56 10 each.
10.	do. 56 15
20	do. 57 0
10	do. 57 5
20	do. 57 10

#### TUNNEL UNDER THE THAMES.

Mr M. J. BRUNEL, F.R.S.C.E. has issued proposals for raising 160,000*l.* for opening a Roadway under the Thames, from near the East end of the London Docks, to the parish of Rotherhithe. The estimated expense of this undertaking is so much under that of a bridge, as to have occasioned doubts whether it has not been underrated. But to remove these, it is sufficient to state, that it will be constructed almost entirely of brick, laid in the best Roman cement. The cost of a rod of brick thus laid, will not exceed 18*l.* exclusive of the labour; and as the length of the body of the tunnel will be 1200 feet, (a length exceeding by much that of Westminster Bridge,) it will require 1280 rods of brick, the amount of which, at 18*l.* the rod, will be 23,040*l.*; a sum that

would scarcely pay for a single pier of a substantial bridge. The declivity of the descents, not exceeding four feet six inches in every hundred feet, will be perfectly easy. The traffic on Waterloo and Vauxhall Bridges, inconsiderable as it appears, produces a clear yearly income, the former 14,000*l.* and the latter of 8500*l.*, the lease of which would give a greater interest on the capital required for executing the tunnel, than Government securities now do. It is not unreasonable, however, to expect that a thoroughfare so distant, as it is proposed to be, from the London Bridge, *open to existing roads*, and in the vicinity of all the commercial establishments connected with the most extensive shipping trade in the world, will be more productive than even the first bridge alluded to.

The approaches of this stupendous work on the Surrey side, will be near Swan-lane, Rotherhithe, and about 400 feet from the Thames, whilst that on the Wapping side will come out near King Edward street, and at a distance of only 200 feet from the river. The distance under the water will be about 1100 yards, and, including the extent of ground from the respective approaches, the entire distance will not exceed one mile. The body of the tunnel is to be formed of a double arch-way or gallery. Each gallery is to be 13 feet 6 inches wide, and 15 feet high in the clear. The structure is to be entirely of brick and Roman cement; the external dimensions are 35 feet in width, and 20 feet high.

#### BRIDGE OF SUSPENSION OVER THE THAMES.

It is intended to apply to Parliament, in the next Session, for a Bill to erect a patent wrought-iron-bar Bridge of Suspension over the Thames, for carriages, from below the Tower of London on the Middlesex side, to the opposite shore; such bridge to be of suf-

ficient height to admit ships to pass under it at all times.

#### GREAT SHIP CANAL.

On Wednesday, June 9, a meeting was held at the London Tavern, to take into consideration a plan for making a Ship Canal, between the Bristol and the British Channels, in order to avoid the dangerous navigation round the Land's-end, especially in winter. Sir T. Lethbridge took the chair of the meeting, and spoke strongly in favour of the plan. Mr Pollock said, that in going round the Land's-end, in the last three years, there had been a loss of property to about 300,000*l.* Sir T. Lethbridge said, the loss of lives was estimated at 200 per annum.—A string of resolutions, expressive of the advantages of such a canal, and others for entering on the undertaking, were agreed to unanimously, and the meeting dispersed.

We have previously mentioned the stupendous plan for effecting a junction between the English and British Channels, and it is so truly national an undertaking, that we feel it to be an act of patriotic duty to give it the full effect of our humble support. The survey, we understand, is proceeding with all due care, according to detailed plans and estimates, formed by the late Mr Rennie, one of the most able, if not the chief, civil engineer of his day, whose unqualified recommendation of the measure justifies the full conviction of those who are more immediately engaged in promoting the undertaking, that its merit entitles it to the attention of all who take an interest, and feel pride, in the prosperity of the empire. It must be evident, that there never was a period more favourable for carrying into effect a measure of such national importance as this projected grand work, and there cannot be the least doubt, that the report upon the survey by Mr

Telford, under the instructions of the present subscribers, will prove equally encouraging. The investment must be regarded as one of the most advantageous to the capitalist, and to those who look to permanent employment of funds, of all the plans now before the public. It appears indeed surprising that this magnificent plan, which promises so much for the commercial importance of the country, was not thought of long ago. In fact, it is a measure that ought to be adopted by Government, if it were fair to take it from the hands of the present liberal and patriotic promoters, as it may be justly said of it, in the words of the Poet—

“These are Imperial Works, and worthy Kings.”

#### UNION OF THE THAMES AND MEDWAY.

The great national Canal, uniting the Thames and Medway, was opened with great pomp on Wednesday. The whole length of the canal is seven miles, and of this seven, rather more than two and a quarter, or 4030 yards, of a tunnel cut through the solid rock. The depth of the mass above it varies from 198 to 80 feet, so that, at an average, it is 139 feet beneath the surface of the hills. It is, we believe, the longest tunnel which has yet been cut in any part of the world. The breadth and height of this tunnel are still more extraordinary than its length. The width of the channel is 22 feet four inches, and the width of the towing-path five feet—making the whole width of the arch 27 feet 4 inches. The depth of water is eight feet—nine feet can be admitted—and from the water to the apex of the arch, the height is 32 feet six inches; making the whole distance between the apex of the arch and the floor of the tunnel, 40 feet 6 inches. Of the whole 4030 yards, upwards of 1700 yards are arched up with bricks, the remainder of the arch is formed in the solid chalk. The

greater part of the excavations was effected by blasting, and the materials removed by shafts sunk for the purpose. The expense has already amounted, it is said, to upwards of 250,000*l*.

—Notice is hereby given, that it is intended, in the ensuing session of Parliament, to make application for an act for opening up a communication from the West end of the street, called the Lawnmarket of Edinburgh, by a road along the South Bank of the Castle Hill, to the Country on the West, by a new bridge over the street or road at the back of the castle, and by a new street or road from the south end of the Mound, in the said city, or from the Lawnmarket to the country on the south, by a new bridge over the Cowgate, and for building, erecting, and maintaining such bridges: Also for raising every part of the Lothian Road to a level not higher than that of the west end of Prince's Street, and for making a new Carriage Access to the West Church, between the two Mansees of the Ministers thereof; and for improving the access to the Grassmarket from the west, by widening the street on the north of the Cornmarket, and making a communication from the east end of the Grassmarket, to the Lawnmarket; likewise, for altering, repairing, and improving the Church, of St Giles in the said city, and, for levelling, paving, and improving certain parts of the High Street, and of the streets called the Lawnmarket, West Bow, and Castle Hill; for constructing common sewers under the said streets for levying certain rates and duties in regard to the purposes aforesaid, and for treating, contracting, and agreeing with the owners and occupiers of such houses, or other property, as may be required for the same; which communications, streets, and roads, are situated, and intended to be situated, respectively in the parishes of the Tol-



booth Church, New North Church, High Church, Old Church, New Greyfriars, Tron Church, and Trinity College Church, in the city of Edinburgh, and of the West Church or St Cuthbert's in the county of Edinburgh; which bridges are intended to be situated in the parishes of West Church or St Cuthbert's, in the said county of Edinburgh, and of old Greyfriars in the said city of Edinburgh; and which church of St Giles is situated in the parishes of the Old Church and St Giles, in the said city of Edinburgh: And further, for treating, contracting, and agreeing with the owners and occupiers of such Houses or other property, as the Commissioners for superintending the outlay of the Parliamentary Grants for the College of Edinburgh, shall find necessary for the accommodation thereof; and for opening a new street from Adam's Square to Merchant Street, in the said city; which grounds, buildings, and other property, are situate and intended to be situate in the parishes of Lady Yester, Old Greyfriars, and New Greyfriars.

#### CAST-IRON CHURCH.

St George's Church, Liverpool, is an object of considerable architectural interest for its taste, and as having been nearly the first iron church erected in the kingdom. The whole of the frame-work of the windows, doors, pillars, groins, roofs, pulpit, and ornamental enrichments, are of cast iron. The length is 119 feet; the breadth 47. It is ornamented by a splendid east window of stained glass. The tower, raised to the height of ninety six feet, and standing on a hill, the site of an ancient sea-beacon, is elevated 345 feet above high water-mark, and commands one of the finest views in the kingdom, comprehending the town and shipping of Liverpool, the

estuary of the Mersey, the level surface of Lancashire, as far as the eye can trace the prospect, with the craggy hills of Wales towards the West, and towards the North-east the distant mountains of Cumberland and Westmoreland.

#### PROJECTED RAILWAY FROM NEWCASTLE-UPON-TYNE TO CARLISLE.

A letter from Newcastle-upon-Tyne says, although it has not been found practicable hitherto to cut a canal across the country to Carlisle, there is every reason to believe now that a railway will shortly be established, as a meeting of the principal landowners of the county of Northumberland will be held during the approaching assizes, (in the middle of the ensuing month, August,) to take that very important matter into consideration. And from the sentiments which seem so generally to prevail, there can be little doubt of the measure being carried into effect. It is very obvious that a railway through such an important tract of country must be highly beneficial in a commercial point of view,—and must particularly tend to advance the interests both of Newcastle-upon-Tyne and Carlisle. We submit the following extract from a letter on the subject, addressed to Sir James Graham, of Kirkstall, Bart. by that able engineer, William Chapman, Esq. who was originally employed with Mr Jessop to survey the line of country for an intended canal, 28 years ago:—

"The original line laid out by me in 1796, for a canal from Newcastle to Carlisle, (with such deviations as circumstances may require,) is peculiarly advantageous for a railway conveying articles both ways, as it runs for thirty-one miles on a level, and the remaining distance to the basin at Carlisle is 23½ miles, in which course it passes within a short distance of the Earl of

Carlisle's collieries, both in Cumberland, and those leased in Northumberland, and would in general be along or near to the formerly-designed line of canal, so far as is consistent with long levels, either real or approximate, between the summit and base of the inclined planes, which would be substituted for locks, and not more frequently occurring than the circumstances of the ground might require. Under this system, whichever course one line of carriage predominated materially in weight, the inclined planes in that direction downwards would be self-acting; as the loaded carriages would draw up the less heavy ascending ones, and in either case steam-engines at the head of the inclined planes (which would be very few indeed) would overcome the preponderancy of the ascending line. The whole transit both ways could be effected without the aid of horses; and experience in the vicinity of the Tyne and Wear has proved, that by due arrangement, unnecessary to discuss at present, trains

of heavy-loaden waggons, each containing 53 cwt., are moved at the rate of six or seven miles an hour; therefore, goods laden either at Newcastle, or from the Carlisle Basin in the morning, may arrive at the opposite extremity on the same day, and not only the usual article of conveyance, but passengers between the extremes, and country people, with the produce of their farms to and from market, would derive essential advantage, and add to the revenue of the subscribers to this public and national work of virtually uniting the two seas, by means of a simple and unexpensive mode of conveyance of the products of the *West Indies and Ireland*, from the Basin at Carlisle, and the imports from the *Baltic, Germany, and Holland*, from the river Tyne, where they are imported at lower freights than most other parts of the kingdom, because of the exports from Newcastle far exceeding its imports, and consequently affording outward freights to all vessels that may enter the river."

## FINE ARTS.

## BRITISH INSTITUTION, PALL-MALL.

WE never ought to notice this institution, without expressing our high esteem for the noblemen and gentlemen by whom it was established. It affords a gratifying proof of their patriotism, as well as of their taste for the Fine arts. They must enjoy what to their feelings will be a full reward for their laudable zeal in bringing forth obscure and modest genius, in improving those arts, and in doing honour to their country. We were highly gratified by a view of the exhibition of living artists, and if we cannot consider it as the best that we have attended at this place, yet, on the whole, we can recommend it to the public as a refined entertainment, that not only pleases the eye, but, in many instances, by exciting amiable feelings and sentiments, is calculated to produce a powerful moral impression on the mind. It was no slight gratification to find that Sir William Beechey is in the full possession of those talents which have so deservedly raised his name among the best of British artists, though we could not but feel much surprised that so eminent and admirable a portrait-painter should have leisure enough to indulge himself in works of fancy. It is a proof, however, that his love of the Arts can at times triumph over all mere feelings of self-interest. He has sent three pictures, so excellent as to induce us almost to wish that he had no temptation to devote himself chiefly to portrait, except that he in-

variably displays taste as well as fidelity in the latter department. His three works on this occasion, are Venus chiding Cupid for having lost his bow and arrows with Ganymede at hazard—a landscape with Gypsies—Psyche, from the Golden Ass of Apuleius. We felt a melancholy pleasure in viewing a picture, entitled Sturdy Joe, by Mr Owen, R.A. an artist of great ability, who has long been disabled, by severe infirmities, from the active exertion of his talents. Mr Westall, R.A. has sent a very fine picture of Cupid and Psyche, in all respects worthy of his fame. Mr Howard, R.A. has a beautiful allegorical scene of “Iris and her train.” He deservedly takes the lead in subjects of this description. Comus, with the lady in the enchanted chair, will add to the reputation of Mr Hilton, R.A. The Misses Reinagle come forward with works that testify the genius of the family: Mr Constable has a fine view of Salisbury Cathedral, from the Bishop’s Grounds, which shows his architectural knowledge, as well as his taste in landscape. The veteran Mr Reinagle, R.A. manifests undecaying skill in his scene from Thornhill, Royal Park. Our present limits, however, prevent us from detail, and therefore we can only add, that Linnell, Stepanoff, Eastlake, E. Landseer, and many other artists, well support their reputation.—The Defeat of the Turks by the Suliotes, by Mr Denis Dighton, is a very fine picture, and we are assured by a very intelligent traveller, that nothing can be more accurate in

*costume* and character.—Mr Young, the secretary, and keeper, has been the chief *Hangman*, and it may be fairly said that he has arranged the *merits* and *demerits* of the whole, with a strict regard to *justice* in the *execution* of an invidious office, in which it is hardly possible to escape without censure from ignorance, or disappointed ambition.

#### BRITISH INSTITUTION.

The new collection of pictures at this Gallery is chiefly by the most esteemed foreign artists of former days, and fully justifies the reputation which they have acquired. Among these are the works of Raphael, Rubens, Claude, Murillo, Cuyt, Salvator Rosa, Velasquez, Vandyke, Rembrandt, Canaletti, Panini, &c. &c., and we may add our own Reynolds, Wilson, Hogarth, West, Wright of Derby, and other artists, who do honour to the country. The pictures are all judiciously arranged, and if the collection does not fully equal what we have heretofore seen in the same place, yet it comprehends an admirable assemblage that will highly gratify the admirers of the Fine Arts. We ought never to notice the productions brought forward at this institution, without paying a due tribute to those by whom it was founded. It has not only given encouragement to living talents, but it has improved the national taste, by presenting the great examples of former artists before those talents, and gradually enlightening the public mind by impressing upon it the true principles of excellence in those arts which are ornamental to society, and honourable to mankind.

#### ROYAL ACADEMY.

In the exhibition for the present

year, the President, with his usual zeal for the honour of the Institution, has eight pictures, the full extent of the allotted number. They all bear the stamp of that high merit for which he is distinguished. Among the portraits by this great artist, "Lord Stowell" is conspicuous; also another of the "Duchess of Gloucester." The "Children of Charles B. Calmady, Esq.," are beautiful, and seem actually alive. All the rest, which we cannot now notice, are in the same admirable style. Sir William Beechey follows with six portraits, which display all that vigorous skill and correct taste that have justly raised him so high in general estimation. His whole-length of "Sir George Cockburn" is excellent. So is his portrait of a "Lady of Fashion," No. 75. A whole-length also of "T. Lowndes, Esq.," is prominent in merit. Two other portraits by this artist seem, to use an old phrase, actually starting from the canvass. Mr Shee has also sent his full complement, and they all demonstrate the full vigour of his powers. His portrait of "Sir Anthony Carlisle," which only we can notice at present, is, we think, the very best which we have seen from his able pencil. The likeness is exact, and the whole is a fine composition. Mr Phillips fully maintains his station, and we shall not fail to attend him in due time. Mr Jackson has six portraits, all worthy of his name. His portraits of the Bishop of Winchester and of Gen. Phipps, are admirable, and so are all he has sent. Mr Howard, besides six others, has an excellent portrait of a lady, in the style of Leonardo da Vinci. Mr Wilkie has three pictures, exquisite in character, but not so highly finished as heretofore. Mr Westall has a noble picture, "Christ appearing to Mary Magdalene after his resurrection." There is a fine picture by Hilton, "Love taught by the

Graces," conceived and executed in a classical style. Both the Daniels have excellent pictures. Calcott's view of Rochester, from the river, below the bridge, is equal to any of his former works, and we cannot pay him a higher tribute of praise. Leslie's picture of "Sancho Panza in the apartment of the Duchess," is one of the most attractive pieces in the rooms.—We regret that we can at present only notice what promiscuously occurs to memory.—Mrs Pope has two beautiful flower-pieces, one in water-colours and one in oil. The subjects are tastefully arranged, and admirably executed. The Architectural Rooms contain some fine drawings. We were particularly struck by three, representing different aspects of the Bank, all of which are highly impressive, by Mr Soane, as well as by his view of a design for his Majesty's entrance into the House of Lords, erected between the 3d October 1823, and the 29th of January 1824, and we could not but feel great surprise that works so elegant, grand, and scientific, should have excited some silly objections, where better taste might be expected. The Model Academy has some admirable works from Chantrey, Flaxman, Westmacott, Bacon, Turnerelli, Behnes, Kendrick, and other well-known artists. The rooms were attended by a very numerous company, among whom were the Duke of Clarence, the Princess Augusta, Lady Mary Taylor, the Marchioness of Conyngham and her daughter, the Marquis of Stafford, Sir George and Lady Beaumont, Sir Charles and Lady Long, the Rev. Dr Long, Canon of Windsor, Watson Taylor, Esq. and other distinguished visitors, as well as by many of the more distinguished artists, and their wives, and it appeared to be generally acknowledged that the present exhibition not only fully equals, but in many respects exceeds, in merit, most of the former annual specimens of Bri-

tish genius, and is highly honourable to the talents of the country.

We were much gratified by a view of the twentieth Exhibition of the Society of Painters in water-colours, at their Gallery in Pall-Mall East. We can say, with patriotic pride, that, wholly and severally, the works do honour to the artists and to the country. It is but justice to say, that, considering the former excellence of the Exhibitions of this association of artists, incredible as it may appear, the present collection is actually superior in general and individual merit. A spirit of laudable emulation seems to have animated all the contributors, and they may view the productions of each other with admiration, wholly unmixed with the alloy of envy. The chief artists, indeed, appear to have entered into a competition with themselves, and the result is an obvious triumph over all their former efforts. We defy the artists of every other country, single or combined, to produce a rival show of excellence. We mean not to be invidious in our selections, and therefore take the names as they promiscuously occur to us. The talents of Prout, Robson Hills, Copley, Fielding, Varley, Barret, Nesfield, W. Turner, Wild, Stephanoff, and many others, a notice of whom we must reserve till another opportunity, appear to the greatest advantage. The landscapes, in particular, are faithful and vivid representations of nature, whose charms are rendered more impressive by judicious and tasteful selection.

Mr W. B. Cooke, one of our best living Engravers, has opened his annual exhibition of drawings, in Soho-square. Much as we have been gratified on former occasions, we cannot but consider the present assemblage as generally superior to what he has previously exhibited. It is also highly gratifying to see the chief artists in

chalk and water-coloured drawings contributing their respective works to this general treasury of such species of art. We regret that we have not room to notice particularly the principal works that adorn the place; but when we state that there are productions of Sir Thomas Lawrence, of the late Hamilton, Stothard, Robertson, the late Girtin, R. Westall, Havell, the late Tresham, J. M. W. Turner, the late Monro, Copley Fielding, Edridge, Owen, Cipriani, Dighton, Wilkie, Uwins, Cristall, the late R. Wilson, and many other excellent artists of the present day, we need not add that Mr Cooke has prepared an exquisite treat for all persons of real taste and judgment. We ought to state that the miniatures of Mr Ward, son of the Royal Academician, are well entitled to notice. There are also, besides other beautiful drawings by the late Mr Gainsborough, two moonlight scenes, that, viewed through magnifying glasses, produce an admirable effect.—There are also print-rooms, in which the Engravings of Mr Cooke, as well as of other great artists, prove how well qualified he is to preside over an exhibition of this nature.

#### SOCIETY OF BRITISH ARTISTS.

A new Institution, under the above title, has been established, and a gallery for the exhibition of paintings by the Society, has been erected in Suffolk-street, Pall-Mall East. Haydon, Martin, Lintot, Heaphey, Glover, Hoffland, and other well-known artists, have several excellent pictures. Northcote is the only member of the Royal Academy who has sent any pictures to the gallery. The establishment of the Society was celebrated by a dinner, at which the Duke of Sussex (who presided), Messrs D. Kinnauld, Hart Davis, Lambton, Hobhouse, Mr T. Campbell, and others, were present.

Several new artists have come forward, who already display considerable merit, and promise much greater in due time. We see nothing invidious in this new Institution, but rather an opening for talents to expand themselves, and consequently a general improvement of the fine arts, and also of the national taste. We have not room to detail the merits of the whole range of rooms, and will not make invidious selections. We ought not, however, to pass over the names of Glover, Heaphey, Haydon, Linton, Martin, Hoffland, Hawkins, Nasmyth, Landseer, Cossec, and Lonsdale, whose respective works are highly creditable to their talents. The room allotted to engravings also manifests such skill as cannot be excelled in any country. Among these are some exquisite productions of Charles Heath, Scriven, Reynolds, Meyer, &c. The southwest room, assigned to architecture, drawings, miniatures, and enamels, also testifies the merits of the several artists, and the north-east room affords admirable specimens of sculpture. We shall take future occasions to bring into notice some of the works of most distinguished merit, and in the meantime we heartily wish success to the general body of artists who have embarked in this establishment, and sincerely hope that the patronage of the public will enable them to display their talents with profit as well as honour.

#### DRAWINGS BY CLAUDE.

##### *Mr Payne Knight's Bequest to the British Museum.*

The first part of this collection contains principally compositions, and memoranda of pictures which he had painted, drawn on paper, mostly in brown, with an occasional mixture of grey, and heightened with white, but all by Claude himself. Many of these

are masterly, and others are valuable, even though it be from the associations inseparable from the certain knowledge that we touch the very paper that had delighted his intelligent mind, under his living hand.

Many of these have been engraved, and are familiar to the collector. In the same volume, which is a large folio, the drawings lately purchased are inserted, and have been cut out of the book in which they were brought over, and carefully laid on coloured paper, and herein arranged by Mr Payne Knight. We have seen many of the original drawings, which are engraved in the *Liber Veritatis*, and several of the same character, in various private collections, which are also equally authenticated as the works of Claude; but we have seen very few that can be compared with these, or capable of creating that interest which we felt on this visit to the British Museum; for here we beheld the studies of the painter as he wrought from nature, with that pictorial identity and severe truth which alone can be inspired upon the spot.

Amongst other chit-chat relating to this book of books, we heard it whispered in the *print-room*, that the late Mr Richard Payne Knight had intended to bequeath his collection of works of art to the library of the Royal Academy, under the trusteeship of the members of that institution; and that his will was deposited in the iron chest at Somerset House. But that, on Mr Knight's being subsequently elected a trustee of the British Museum, he made another will, and left his valuable collection to the National Gallery, now

erecting on the site of the old garden at Montague House.

We farther heard, that the President, and some other members of our National Academy, on hearing that the British Museum was to be enriched with these choice works, with a liberality and patriotism that cannot be too highly applauded, expressed their pleasure at the change, observing, that in a National Institution so easily accessible as the British Museum, they would be much more beneficially bestowed.

By a recent Act of Parliament, it seems that the President of the Royal Academy is henceforth to be enrolled in the list of trustees of the British Museum. Nothing could be more satisfactory to the public, we should presume, than that the representative of the National school of painting should have a voice in the council that is to preside over a National gallery of arts.

The marble bust of the lamented Dr E. D. Clarke, by Chantrey, is now placed in the vestibule of the University library, Cambridge, among those fine specimens of ancient architecture which that celebrated traveller brought from Greece. The bust bears a more striking resemblance to Dr Clarke in his earlier years, than after his constitution had been impaired by unremitting application to scientific pursuits. With respect, however, to the exquisite beauty of the sculpture, there can be but one opinion, as it not only equals the other works of Chantrey, but adds one more wreath to the numerous and well-earned laurels of this eminent artist.

## No. VIII.—LISTS.

## NEW PUBLICATIONS FOR 1824.

## AGRICULTURE.

The Farmer's Magazine, Nos. XCVII. XCVIII. XCIX. and C. 3s. each.

A General Index to the Farmer's Magazine. Vol. I. to XXIV. inclusive. 2s.

A Guide to Practical Farriery, containing Hints on the Diseases of Horses and Neat Cattle. By J. Pursglove, sen. 8vo, 10s. 6d.

A Treatise upon Breeding, Rearing, and Feeding Cheviot and Black-faced Sheep in high Districts, with some account of, and a complete cure for, that fatal malady the Rot. By John Fairbairn, farmer in Lammermuir. 8vo, 5s. bds.

Harding's Farmer's Account-Book for 1824, being a collection of forms ruled for keeping the Accounts of a Farming Establishment. L.1, 1s. for a year, or 10s. 6d. for half-a-year's book.

The Farmer's Memorandum Book, or Journal for 1824. 4to, 10s. 6d.

An Essay on Agriculture and the Management of Landed Estates. By Francis Morice. 8vo, 10s. 6d.

Hortus Gramineus Woburnensis; or, an Account of the Results of various Experiments on the Produce and Fattening Properties of different Grasses, and other Plants, used as the Food of the more valuable domestic Animals; instituted by John, Duke of Bedford. By G. Sinclair, F.L.S., F.H.S. Royal 8vo, 62 Engravings, L.1, 10s. plain, L.2, 2s. coloured.

VOL. XVII. PART II.

Practical Remarks on the Management and Improvement of Grass-Land, as far as relates to Irrigation, Winter-flooding, and Drainage. By C. C. Western, Esq., M.P. 8vo.

## ARCHITECTURE, ANTIQUITIES, AND THE FINE ARTS.

Sabæan Researches, in a Series of Essays, addressed to distinguished Antiquaries, and including the substance of a Course of Lectures delivered at the Royal Institution of Great Britain, on the engraved Hieroglyphics of Chaldaea, Egypt, and Canaan. By John Landseer, F.S.A. 4to, with numerous plates. L.2, 12s. 6d.

Part I. of Monumental Antiquities of Great Britain, from drawings of E. Blore, F.S.D. 10s., and royal, 18s.

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Mrs Jolly, 20, Windsor Street, Edinburgh, a daughter.

11. At Greenhead, Glasgow, the lady of Captain T. D. Stewart, of the Bengal cavalry, a son.

12. At Rosebank, the lady of Kenneth Macleay, of Newmore, Esq. a daughter.

13. At Park House, Kent, the lady of Sir Henry R. Calder, Bart. a son.

16. At Edinburgh, Mrs Borthwick, 83, George Street, a son.

17. At Edinburgh, Mrs William Snell, a daughter.

20. Mrs Richard Mackenzie, Abercromby Place, Edinburgh, a daughter.

At North Berwick, Mrs Hawthorn, a son.

At Park Place, Edinburgh, Mrs Grant, of Congalton, a son and heir.

22. Mrs Cook, Northumberland Street, Edinburgh, a son.

23. At Edinburgh, Mrs Stewart, of Glenormiston, a son.

In Charlotte Square, Edinburgh, the Hon. Mrs Duncan, a son.

In Queen Street, Edinburgh, the lady of Captain Henry Ferguson, a daughter.

24. At his house at the Admiralty, London, the lady of Sir George Clerk, Bart, M.P. a son.

25. At Findrassie House, Mrs Leslie, of Findrassie, a son.

At Falkland, Mrs Deas, a daughter.

At Netherhouse, the lady of Major Peat, a daughter.

At Dundee, Mrs Mylne, of Mylnefield, a daughter.

27. At Portobello, the lady of Donald Charles Cameron, Esq. a son.

28. At Logie, the lady of the Hon. Donald Ogilvy, of Clova, a son.

29. At Government House, Montreal, Canada, the lady of Lieutenant-Colonel M'Grigor, 70th regiment, a daughter.

30. At Northumberland Street, Edinburgh, the lady of George Brodie, Esq. advocate, a son.

— Mrs Laing, of Broomhill, a son.

— At Gatehouse, Mrs Dr Watson, a daughter.

*Lately.* At the Upper Lodge, Bushy Park, the lady of Colonel Fitzclarence, a son.

JULY 1. At Ditton Park, the seat of Lord Montagu, Lady Isabella Cust, a daughter.

3. Mrs Abercromby, 19, York Place, Edinburgh, a daughter.

— At Colington Bank, Mrs Logan, a daughter.

— At Briary Baulk, Mrs Hutchins, a daughter.

4. At 20, Royal Circus, Edinburgh, the lady of William Stirling, Esq. a daughter.

5. At Mungall Cottage, Mrs Stainton, of Biggarshiels, a son.

7. At her father's, the Right Rev. Bishop Sandford, the lady of Montague B. Bere, of Morebath, in the county of Devon, Esq. a son and heir.

— At Bancoot, Presidency of Bombay, Mrs Alexander Crawford, a daughter.

8. At Rosemount, Mrs Christie, a daughter.

9. In Grosvenor Square, London, Lady Elizabeth Belgrave, a daughter.

13. Mrs W. C. Learmonth, of Craighend, a son.

16. At Aklington Park, the wife of Charles Charteris, Esq. of Cullivatt, Dumfriesshire, a daughter.

— At Benfield Lodge, Newton Stewart, the lady of James Smith Adams, Esq. a son.

— At No. 79, Great King Street, Edinburgh, Mrs Kinnear, a son.

20. At Beckington, in Surrey, the Hon. Lady Helen Wedderburn, a son.

— At Balcarras, the lady of Captain Head, a daughter.

— At Balgavies, in Angus-shire, the lady of A. Mackenzie, Esq. surgeon, 69th regiment, of twin sons.

21. At Drummond Place, Edinburgh, the lady of A. Scott Broomfield, a daughter.

21. At Blebo, the Lady of Lieutenant-Colonel Bethune, a son.

22. At Middleton Terrace, Pentonville, London, the lady of the Rev. Edward Irving, of the Caledonian Chapel, a son.

23. At Pwlycrochan, North Wales, the lady of Sir David Erskine of Cambo, Bart. a son and heir.

— At Bourn Hall, Cambridgeshire, the Countess Delawarr, a daughter.

27. At St Antony's Place, Leith, Mrs William Wyld, a daughter.

— At Baberton House, the lady of Archibald Christie, Esq. of Baberton, a son.

— At Annan, the lady of Robert Dickson, Esq. a son.

28. At Concordia, Tobago, the lady of Dr Kennedy, a daughter.

29. At Chelsea, Middlesex, the lady of A. F. Ramsay, Esq. late of the Bengal medical establishment, a son.

30. At Dalkeith, Mrs D. Morrison, a daughter.

31. The Duchess of Orleans, a Prince.

— At Kilbagie, Mrs Stein, a son.

— The Hon. Lady Paget, a daughter.

AUGUST 1. The lady of Major Johnston, 99th regiment, a daughter.

3. At Florence, the lady of John Craufurd, Esq. of Auchenames, a son.

4. At Inverloch, the lady of Col. Gordon, a son.

5. At Teawig, the lady of Dr Chisholm, late royal regiment of artillery, a son.

6. At the British Hotel, Edinburgh, the lady of Thomas C. Hagart, Esq. a daughter.

— The lady of David Nisbett, Esq. Lower Mall, Hammersmith, a son.

8. At Duncan Street, Drummond Place, Edinburgh, Mrs William Maxwell Little, a son.

— At Dundee, the lady of John Sandwith, Esq. of Bombay, of twin daughters.

— At St. Croix, West Indies, the lady of Joseph Bushby, Esq. a son.

9. At Castle Fraser, Mrs Fraser, a daughter.

10. At Melville Street, Edinburgh, the lady of James Edmund Leslie, Esq. a son.

— At Bonjedward House, Mrs Jordan, a daughter.

• 10. At Ely Place, London, Mrs Tweed, a son.

11. Mrs James Browne, Alnwick Hill, a daughter.

12. At St Thome, Madras, the lady of Lieutenant-Colonel Commandant Robert Macdowall, 7th regiment native infantry, a daughter.

14. At London Street, Edinburgh, Mrs Thomas Grahame, a son.

At Swithland Rectory, the Right Hon. Lady Harriet Erskine, a daughter.

20. At Putney Heath, the lady of the Hon. Thomas Erskine, a daughter.

— At Holkham, Norfolk, Lady Anne Coke, a son.

22. At Beaufort Castle, the Hon. Mrs Fraser, of Lovat, a daughter.

23. At Malvern, Barbadoes, the lady of Harbourn G. Straghan, Esq. M.D. a son.

24. At Heriot Row, Edinburgh, Mrs Dalryell, of Lingo, a son.

25. At Park House, Mrs Gordon of Park, a daughter.

27. At Eildon Hall, the lady of the Hon. J. E. Elliot, a son.

— At No. 1, Fettes Row, the lady of Captain Pearson, R.N. of twin sons.

29. At Dean House, near Edinburgh, the lady of General Sir Thomas Bradford, K.C.B. a daughter.

30. In Queen Street, Edinburgh, the lady of John Archibald Campbell, Esq. a daughter.

— At 26, Heriot Row, Edinburgh, Mrs Morson, a daughter.

31. At Pittencreeff, Mrs Hunt of Pittencreeff, a daughter.

— At Invermoriston, the lady of James Murray Grant, Esq. of Glenmoriston and Moy, a daughter.

— In Connaught Place, London, the lady of Walter S. Davidson, of Inchmarlo, Esq. a daughter.

• *Lately.* At North Aston, Oxfordshire, Viscountess Chetwynd, a daughter.

— At the seat of the Earl of Winchelsea, the lady of Captain Drummond, Coldstream Guards, a daughter.

— At 9, Circus Place, Edinburgh, Mrs Maitland, a son.

— A few days since, a woman was safely delivered at Manister, county of Limerick, of two sons and two daughters,

who, with the mother, are alive, and doing well.

SEPTEMBER 1, At Bralgar House, Kent, the lady of J. D. Boswell, Esq. of Waddle, Captain in the royal navy, a son and heir.

2. At Edinburgh, the lady of Stair Stewart, Esq. of Physgill and Glasserlin, a son and heir.

3. At Leven Bank, Mrs Balfour, a son.

5. At Dun, the lady Anne Baird, a daughter.

6. At Dumbarnie House, Mrs Craigie, of Dumbarnie, a son.

9. At the Dowager Viscountess Duncan's, Edinburgh, the Hon. Mrs Dundas, a son.

11. At Stobo Castle, the lady of Sir James Montgomery of Stanhope, Bart., a son.

• — Mrs John Brougham, Edinburgh, a daughter.

12. At Dundee, the lady of Dr John Maxwell, a son.

— The Countess of Minto, a daughter.

13. At Edinburgh, the lady of Major Menzies, 42d Royal Highlanders, a son.

— At Crescent, Perth, Mrs George Seton, a daughter.

14. At Kirkaldy, Mrs J. L. Cooper, a son.

15. At Ruchill, near Glasgow, the lady of Major Stephenson, 6th dragoon guards, a son.

— At Spanish Town, Jamaica, the lady of Major William Stewart, 91st regiment, a son.

— At his Lordship's house, at Cowes, in the Isle of Wight, the lady of Lord Francis Leveson Gower, M.P. a son.

18. At Ramornie, Mrs Heriot of Ramornie, a daughter.

20. At Frankland, Mrs Murray, a son.

— At Sandyford, Mrs Wm. Murray, of her fifth daughter, and fifteenth child.

21. At Inverugie, Mrs Stewart, a daughter.

23. At Banchory, the lady of Lieut. Colonel Wood, a son.

— Mrs Patrick Robertson, a daughter.

24. Mrs Dr Fletcher, Irvine, a son.

— At Paradise House, near Castle-

town, Isle of Man, the lady of General Cumming, a son.

26. At Losset, Mrs Macneal of Ugadale, a daughter.

*Lately*, At her residence, at Tunbridge Wells, the Right Hon. Lady Cochrane, a son.

OCTOBER 3. At North Berwick manse, Mrs Balfour Graham, a son.

4. At Heriot Row, Edinburgh, Mrs Mackenzie, of Inverinate, a daughter.

— At Camsall Park, the lady of Sir Joseph Radcliffe, Bart., a son and heir.

— At 9, Albany Street, Edinburgh, Mrs Cargill, a daughter.

6. At Edinburgh, Mrs Borthwick, younger, of Crookston, a son.

— At Waterford, the wife of Captain Dunn, R. N. a son.

8. In Portland Place, London, the lady of M. Stewart Nicolson, Esq. a daughter.

— In Charlotte Street, Edinburgh, the lady of William Dermer, Esq. a son.

9. At Edinburgh, the lady of William Ogilvy, Esq. younger of Chesters, a son.

11. At Glasgow, the lady of Captain Taylor, Hon. East India Company's service, a daughter.

12. Mrs Knowles, of Kirkville, a daughter.

— At Edinburgh, the lady of Norman Lockhart, Esq. a daughter.

— Mrs Mackenzie Ross, of Aldie, a son.

— At Dinan, France, Mrs Ralston of Tower Hill, a daughter.

15. At Edinburgh, Mrs Baillie, of Culterallers, a son.

— At Gogar House, the Lady of A. Majland Gibson, younger of Cliftonhall, Esq. a son.

16. At Ballinaby, Mrs Campbell, a daughter.

19. At Whim, the lady of Archibald Montgomery, Esq. a son.

— At Warriston Crescent, Edinburgh, Mrs Carmichael, a daughter.

20. At Edinburgh, the lady of Lieutenant-General Sir John Hope, G.C.B. a son.

— At Glorat, the lady of Captain Stirling, a son.

21. At Logie Elphinstone, Mrs Dalrymple Horn Elphinstone, a daughter.

22. At Revack, Strathspey, the lady of Capt. James Gordon, a son.

23. At Pinkie House, the lady of Sir John Hope, of Craighall, Bart. a son.

— At Cultmalundie, the lady of Lieut.-Colonel Cunningham, of the Bombay army, a daughter.

— In Abercromby Place, Edinburgh, the lady of Charles Wake, Esq. a son.

— At Heriot Row, Edinburgh, the lady of Alex. Norman Macleod, Esq. a daughter.

24. Mrs Johnston, of Sands, a son.

25. At Edinburgh, the lady of Alex. Deans, Esq. Master in Chancery, in the island of Jamaica, a daughter.

26. At Rose Park, Mrs Dunbar, a son.

27. At Edinburgh, the lady of William L. White, Esq. advocate, a son.

28. At Edinburgh, Mrs Dr Sanders, a son.

— At St Andrews, the lady of Provost Alexander, a son.

*Lately*, At Stirling, the lady of John Fraser, Esq. advocate, a daughter.

— At Geddes House, the lady of William Mackintosh, Esq. of Geddes, a daughter.

NOVEMBER 2. In Stanhope Street, Mayfair, London, the lady of the Right Hon. Robert Peel, a son.

— At Kirkmay House, the lady of Robert Inglis, Esq. of Kirkmay, a daughter.

4. At his house in Charlotte Square, Edinburgh, the lady of Thomas Maftland, Esq. younger of Dundrennan, a daughter.

7. At Tayfield, Mrs Berry, a son.

8. At 18, Hill Street, Edinburgh, Mrs Dr Gairdner, a son.

— In Prince's Street, Edinburgh, the Hon. Mrs Sinclair of Ulbster, a son.

9. At Yester, the Marchioness of Tweeddale, a son.

11. At Hallrule, Roxburghshire, the lady of William Filder, Esq. Deputy Commissary-General, a son.

— At Jersey, the lady of Major Fyers, royal engineers, a daughter.

— At No. 7, Bellevue Crescent, Edinburgh, Mrs James Balfour, a son.

13. At Ennis, Ireland, Mrs Farquharson, 25th regiment, a daughter.

14. At Chatham, the lady of Lieut.

Colonel Pasley, of the royal engineers, a

14. At Woolwich, the lady of Captain  
H. W. Gordon, of the royal artillery, a

17. At Parkhill, the lady of Robert  
arden, Esq. of Parkhill, a son.

— At Brighton Place, Portobello, the  
lady of Major Davidson, a son.

20. At Farme, the lady of Hugh Moss-  
man, Esq. younger of Auchtyfardle, a  
daughter.

— At Glasgow, Mrs Thomas Hunter,  
Hope Street, of twin daughters.

21. At Maxpoffle, Mrs Scott, younger,  
of Raeburn, a daughter.

— At Tunbridge Wells, the Hon. Mrs  
Stuart Mackenzie, of Seaforth, a son.

23. At Hythe, the Right Hon. Lady  
Greenock, a son and heir.

24. At Weens House, Roxburghshire,  
Mrs Cleghorn, of Weens, a daughter.

26. At 20, Windsor Street, the lady of  
Capt. Deans, R. N. a son.

— At St Croix, West Indies, Mrs Dr  
Ruan, a daughter.

— At Balgownie, Mrs Forbes, a daugh-  
ter.

— At Little Bookham Rectory, Surrey,  
the lady of the Rev. George Boilean Pol-  
len, a son.

— At Trinity House, Mrs Scot, of  
Trinity, a daughter.

27. Mrs Hunter of Thurston, a daugh-  
ter.

— At 32, Gayfield Square, Edinburgh,  
Mrs Charles Tawse, a daughter.

29. At Glasgow, the lady of Lieut.-  
Col. Edward Wildman, of Carabineers, a  
daughter.

— At Kewsworth Lodge, Manchester,  
Jamaica, the lady of Dr George Dempster,  
a son.

30. At Montpelier Park, Burrowmuir-  
head, Edinburgh, the wife of R. Scott,  
Esq. a son.

— In Bryanstone Square, London, the  
lady of Lieut.-General Sir Thomas His-  
lop, Bart. G.C.B. a daughter.

Lately, At Nairn Grove, the lady of  
Colonel Anderson, Knight of the Tower  
and Sword, and Companion of the Bath,  
a daughter.

DECEMBER 1. At 118, Prince's Street,  
Edinburgh, Mrs Young, a son and daugh-  
ter.

2. Mrs Robertson, 75, Great King  
Street, Edinburgh, a son.

— At 37, George Street, Edinburgh,  
the lady of Dr Adolphus Ross, M.D. a  
son.

3. At Greenock, the lady of George  
Noble, Esq. R.N. a son.

5. At Greenhead, the lady of William  
Stavert, Esq. a son.

6. At Abbotrule, Mrs Henderson, a  
daughter.

7. At Walker Street, Coates Crescent,  
Edinburgh, the lady of George Govan,  
Esq. M.D. Bengal establishment, a daugh-  
ter.

— At Rotterdam, the lady of James  
Henry Turing, Esq. a son.

8. At No. 40, Charlotte Street, Leith,  
Mrs Combe, a son.

— At Northcliffe, the lady of Captain  
M'Konochie, R. N. a daughter.

— At Poyntzfield House, the lady of  
Major Munro, of Poyntzfield, a daugh-  
ter.

10. At Guernsey, the lady of Lieut.-  
Colonel Kennedy, a son.

— At Paris, the Countess of Wicklow,  
a daughter.

— In Grosvenor Place, London, the  
lady of Sir Robert Graham, Bart. a daugh-  
ter.

11. At Great Malvern, near Worcester,  
the lady of Kenneth Bruce Stuart, Esq.  
of Annat, Perthshire, a daughter.

— In Great King Street, Edinburgh,  
Mrs Graham, a son.

12. At Edinburgh, Mrs R. Clerk Rat-  
tray, a daughter.

13. At No. 8, Shandwick Place, Edin-  
burgh, the Hon. Mrs Ramsay, a son.

14. At his house in Bryanstone Square,  
London, the wife of Joseph Hume, Esq.  
M.P. a daughter.

15. At Edinburgh, the lady of Warren  
Hastings Anderson, Esq. a daughter.

— In South Frederick Street, Edin-  
burgh, the lady of Captain Wyndowe,  
royal dragoons, a daughter.

— At Sundrum, Mrs Hamilton of Sun-  
drum, a daughter.

17. At River Bank, Mrs Anderson, a  
daughter.

18. At No. 10, Cochrane Street, Glas-  
gow, Mrs Burnside, a daughter.

21. At 38, Charlotte Square, Edin-  
burgh, Mrs John Learmonth, a daughter.



21. At Gosford, the Right Hon. Lady Elcho, a daughter.

22. At Edinburgh, the lady of John Birtwhistle, Esq. of Barharrow, a daughter.

23. In Grosvenor Square, London, Lady Petre, a son.

24. At Spreull's Court, Glasgow, Mrs Macarthur, a son.

— At 36, George Street, Edinburgh, Mrs Pollock, a daughter.

— At Pockington, the Countess of Aylesford, a son and heir.

27. Mrs Drysdale, No. 8, Royal Circus, Edinburgh, a son.

28. At Bath, the lady of Walter Long, Esq. of Baynton House, Wilts, a daughter.

30. At the Mount, Harrow, Middlesex, the lady of Archibald Campbell, Esq. a daughter.

31. At his house in Lower Berkley Street, Portman Square, London, the lady of Lieut.-Colonel Lindsay, grenadier guards, a daughter.

#### MARRIAGES.

JANUARY 1. At Edinburgh, Mr John Carfrae, to Miss Isabella Park; second daughter; and on the 16th current, Robert Fyshe, Esq. of Galashells, to Miss Helen Park, eldest daughter of the late Henry Park, Esq. of Legerwood.

4. At Manchester, Jamaica, George Dempster, Esq. surgeon, late of the Army Medical Staff, to Catherine, relict of the late John Thomson, Esq. of May-day and Woodside Plantations, and Member of the Hon. House of Assembly.

5. At Stenhouse, John Kennedy, Esq. of Kirkland, to Agnes, eldest daughter of James M<sup>c</sup>Turk, Esq. of Stenhouse.

6. At Charlotte Place, Glasgow, Alex. B. Seton, Esq. to Margaret, eldest daughter of the late George M<sup>c</sup>Nish, Esq. merchant, Glasgow.

7. At Shieldhall, William Montgomery, Esq. of Annick Lodge, to Susannah, youngest daughter of the late John Anderson, Esq. London.

8. At Windsor Street, Edinburgh, James Usher, Esq. writer, Edinburgh, to Miss Mary Gray, daughter of the late Rev. Thomas Gray, minister of Broughton, Peebles-shire.

10. At Prestbury, the Rev. Sam. Roberts, of Ravandon, Rector and Vicar of

the Union of Mothel, in the county of Kilkenny, to Sarah, daughter of the late Sir William Forbes, Bart. of Craigievar.

12. At Burnside, Mr Robert Grieve, writer, Edinburgh, to Marion, eldest daughter of William Rolland, Esq. of Burnside.

— At Paisley, Mr James Kerr, manufacturer, to Jane, only daughter of the late William Pinkerton, Esq.

14. At London, Alexander Bannerma, Esq. of Aberdeen, to Margaret, second daughter of J. G. Guthrie, Esq. of Berkeley Street.

— At St Mary's, Lambeth, Adam Wilson, of Finsbury Circus, Esq. to Martha Teresa, second daughter of Wilson Lecher, Esq.

17. At St George's, Hanover Square, London, Lieut.-Colonel Davies, M.P. to Augusta Anne, only child of the late Thomas Champion De Crespigny, Esq.

20. At Aberdeen, William Irvine, Esq. at Towie, to Harriet Ann Stuart, relict of the Rev. George Grant, late minister of Mortlach.

22. At the Parish Church of Eye, in the county of Hereford, Edmund Pollexfen Bastard, Esq. of Kitley, Devonshire, and M.P. for the county, to the Hon. Anne Jane Rodney, daughter of the late and sister to the present Lord Rodney.

— At Edinburgh, Lieut. William Hope Smith, of the 4th regiment Madras native Infantry, and eldest son of Rear-Admiral Smith, to Eliza, youngest daughter of John Wilson, Esq. of Cumledge, Berwickshire.

— Robert Fulton, Esq. Dubby-side, Fifeshire, to Helen, only daughter of the late Major J. Fotheringham, of the engineers on the Madras Establishment.

— At Aberdeen, Major Henry James Phelps, of the 80th regiment, to Mary, youngest daughter of D. Grant, Esq. of Drummin.

— At Perth, Mr Mitchell, merchant, John's Street, to Jane, eldest daughter of the Rev. Dr Pringle.

26. At Summerville, near Dumfries, William Syme, younger of Ryedale, Esq. to Miss Lilius Babington, eldest daughter of the Rev. Charles Maitland Babington, A.M. Rector of Peterstow, Herefordshire.

27. At Lyon Cross, parish of Neilston, Renfrewshire, Alex. Craig, Esq. to Miss

Agnes, eldest daughter of the late Thomas Cuthbertson, Esq. of Lyon Cross.

28. At Hebburn Hall, William Henry Lambton, Esq. brother of John George Lambton, Esq. M.P. for the county of Durham, to Henrietta, second daughter of Cuthbert Elliston, Esq. M.P. for Newcastle.

29. At Hillsfle, Leith Walk, J. S. Combe, Esq. M.D. Fellow of the Royal College of Surgeons, to Anne, daughter of the late John Thomson, Esq. Leith.

30. At Leith, Mr J. M'Leod, merchant, Edinburgh, to Christina, fourth daughter of the late William Loudon, Esq. Kerse Hall.

FEBRUARY 2. At Dumfries, Mr John Thomson, Maxwelltown, late merchant in Manchester, to Miss Elizabeth, only daughter of Francis Beattie, Esq. Dumfries.

3. Alexander Vernor, Esq. of Holmes, to Matilda, youngest daughter of the late John Taylor, A.M. Rector of the grammar-school, Musselburgh.

4. At Underwood, Thomas Pelham Hood, Esq. of Springmount, county of Antrim, Ireland, to Miss Kennedy, only daughter of John Kennedy, Esq. of Underwood.

5. At Sandaig, Lieut. John Macdonald, 74th regiment, to Isabella, only daughter of Mr H. Macdonald, Sandaig.

10. At Glasgow, Mr John Smith, accountant, to Margaret, youngest daughter of George Lewis, Esq. merchant, Glasgow.

11. At Cross Canoby, the Rev. Walter Fairlie, minister of the Scotch Church, Whitehaven, to Sarah, third daughter of Adam Bittleston, Esq. Maryport, Cumberland.

13. The Rev. G. F. Boileau Pollen, domestic chaplain to the Right Hon. Lord Northwick, and Rector of Little Bookham, in the county of Surrey, to Elizabeth, eldest surviving daughter of Sir James Hall, Bart. of Dunglass.

16. At Paisley, Mr Patrick G. M'Arthur, merchant, Glasgow, to Ann Frances M'Alpine, daughter of Captain Archibald M'Alpine, 81st regiment.

— At Hannah's Rest, estate, St Croix, (West Indies,) William Ruan, Esq. M.D. to Christina, second daughter of Mr William Dumbreck, South Coates, Edinburgh.

20. At Edinburgh, David Welsh, Esq. younger of Collin, W. S. to Margaret, daughter of the late Colonel Andrew Ross, 21st Royal Scots Fusiliers.

22. At Glasgow, Walter Miller, Esq. merchant, Glasgow, to Catherine, daughter of Mr John Ferguson, merchant, there.

23. At Somerton, Somersetshire, John Nichol, Esq. of London, to Emma, youngest daughter of J. Beard, Esq.

— At Forres, Capt. Falconer, of the Bombay army, to Eliza, second daughter of the Rev. John Macdonell.

— At Greenock, Charles F. Reeves, Esq. of the General Post Office, Scotland, to Lavinia, daughter of T. S. Bursay, Esq. of the Customs, Greenock.

24. At Musselburgh, Mr George Rentoul, merchant, Perth, to Isabella Jemima, daughter of the late Rev. Robert Shirreff, Tranent.

— At Bombay, Captain Frederick Roome, superintendent of cadets, to Miss Evander Morison.

— At St Mary's Church, Dublin, John Learmonth, Esq. of Edinburgh, to Margaret, second daughter of James Cleghorn, Esq. M.D. state physician.

25. At Duloe, Lieut.-Colonel James Drummond Buller Elphinstone, 3d guards, son of the Hon. H. Buller Elphinstone, to Anna Maria, only child of Vice-Admiral Sir Edward Buller, Bart. of Trenant, in the county of Cornwall.

27. At Milnathort, James Hodge, of Southfield, Esq. to Miss Margaret Reid, youngest daughter of the late Robert Reid, Esq. of Tullery.

28. At Monreith, Hugh Hathorn, of Castlewigg, Esq. to Catherine, eldest daughter of Sir William Maxwell of Monreith, Bart.

Lately, At Pitfour Castle, Perthshire, Robert Clerk Rattray, Esq. younger, of Craighall, Rattray, to Miss Christina Richardson, daughter of the late James Richardson, of Pitfour, Esq.

— At Kevoek Bank, seat of Dr. Christie, Mr James Winckworth, of Lauriston, to Marion Selkrig, youngest daughter of the late William Otto, wine-merchant, Dalkeith.

MARCH 1. At Wangford, Spencer Horsey Kilderbee, Esq. of Glenham, to the Lady Ross, youngest daughter of the Earl of Stradbroke.

1. In St Mary's Church, Dublin, by the Rev. Charles Bardin, Hamilton Haire, of Glasdrummond, Esq. to Anne, second daughter of Mr Chittick, Enniskillen, county Farnagh.

— At Drumcumbie, the Rev. William M'Dougall, Campbelton, to Charlotte, youngest daughter of Mr James Hogg, Drumcumbie.

2. At Ormiston, Mr James Laing, Tarbat, Ross-shire, factor to the Hon. Mrs Hay Mackenzie of Cromarty, to Miss Isabella Thomson, second daughter of the deceased John Thomson, Esq. of Prior-Lethem.

— The Rev. Lord John Thynne, to Anne Constantia, third daughter of the Rev. C. C. Beresford.

— At Tritonville, Dublin, Col. James Maitland, of the 84th regiment, to Isabella Ann, eldest daughter of Thomas Manners, Esq. clerk to the signet.

4. At Barnton House, Sir Thomas Woollaston White, of Wallingwells, in the county of Nottingham, Bart. to Miss Georgina Ramsay, youngest daughter of the late George Ramsay of Barnton, Esq.

— At Lurdenlaw, John Castell Hopkins, Esq. to Agnes, daughter of Charles Robson, Esq. of Samiestown.

8. At Meadow Place, Edinburgh, William Wallace, Esq. W. S. to Zelica Cheshire, relict of the deceased Lieut. Donald Grant.

— At Katerlane, Lewis Chambers, Esq. to Miss Kelman, daughter of the late William Kelman, Esq. of Frasersburgh.

9. At Robertson, Mr Samuel Easton, merchant, Glasgow, to Janet, only daughter of James Hunter, Esq. of Robertson.

— At Anderston brewery, Glasgow, William Cunningham, Esq. merchant there, to Miss Isabella Arthur.

11. At Drayton Basset, the Hon. Henry Eden, eldest son of Lord Henley, to Harriet, youngest daughter of Sir Robert Peel, Bart.

13. At Oak Bank, near Glasgow, Arthur John Robertson, Esq. of Inches, in the county of Inverness, to Marianne, eldest daughter of the late Richard Pattinson, Esq. of Upper Canada.

15. William Henry Street, Esq. of St John, New Brunswick, to Mary, daughter of the late James Bruce, Esq. naval officer, Leith.

15. At Howard Place, George Dickson, Esq. late of Calcutta, to Jane, only daughter of Major Colin Campbell.

16. In Portman Square, London, the Rev. William John Brodrick, son of the late Archbishop of Cashel, to the Right Hon. Lady Elizabeth Anne Perceval, daughter of the Earl of Cardigan.

17. At the house of the Earl of Cassilis, in Whitchall, London, Lady Alice Jane Kennedy, youngest daughter of the Earl and Countess of Cassilis, to Captain Peel, of the grenadier guards, son of Sir Robert Peel, and brother to Mr Secretary Peel.

19. At Prestonfield house, Major Duncan M'Gregor, 31st regiment, to Elizabeth Douglas Trotter, youngest daughter of the late Sir William Dick, of Prestonfield, Bart.

20. At Edinburgh, Dr Richard Dobson, R. N., and physician extraordinary to his Royal Highness the Duke of Clarence, to Miss Rosina Purves, third daughter of the late Sir Alexander Purves, of Purves, Bart.

22. The Hon. Hugh Francis Manners Tollemache, the fourth son of Lord Huntingtower, to Matilda, the fifth daughter of Joseph Hume, Esq. of Nottingham, Kensington.

23. At Skipperton Lodge, William Murray, Esq. of Banknock, to Elizabeth, eldest daughter of Bentley M'Leod, Esq. Skipperton.

24. At Dairsie, Dr James Spence, physician, Cupar, to Robina, only daughter of the late Rev. Robert Coutts, one of the ministers of Brechin.

25. Lieutenant W. Absolon, R. N. to Isabella, eldest daughter of P. Webster, Esq. Barns of Craig.

— At Trinity Cottage, Francis Sievwright, Esq. 59th regiment, to Mary, daughter of William Henderson, Esq.

26. At Edinburgh, Charles Craigie Halkett, Esq. of Hallhill, in the county of Fife, to Susan, youngest daughter of Sir John Majoribanks of Lees, Bart. M.P. Berwickshire.

28. At Bowerswell, near Perth, Sir Michael Malcolm of Balbeadie and Grange, Bart., to Miss Mary Forbes, youngest daughter of Mr John Forbes, Bowerswell.

— At Dumfries, the Rev. James Dalrymple, to Helen, fifth daughter of the late Thomas Yorston, Esq. Nithbank.

28. At London, Samuel Whitbread, Esq. M.P. to Julia, daughter of Major-General the Hon. Henry Brand.

29. At Maybole Castle, James Dow, Esq. of Montrose, to Mary, youngest daughter of the late William Douglas, Esq. merchant, Leith.

— At Hartpurry, Gloucestershire, Mr Robert Hill, merchant, Edinburgh, to Rose Bellingham Martin, daughter of Mr. Thomas Martin, Hartpurry.

— At the Cape of Good Hope, Major Thomas Webster of Balgarvie, in the service of the Hon. East India Company, to Agnes, daughter of the late John Ross, Esq. Meadow Place, Edinburgh.

30. At Heriot Row, Edinburgh, Robert Whigham, of Lochpatrick, Esq. advocate, to Jane, eldest daughter of Sir Robert Dundas, of Beechwood, Bart.

— At London, Abner William Brown, Esq. of Lincoln's Inn, to Miss Dangerfield of Burton Crescent.

Lately, At London, Charles Rowland, Esq. of Great Prescott Street, to Janet, eldest daughter of the late Duncan MacLaurin, Esq. of Walthamstow.

APRIL 2. At Edinburgh, Mr John Anderson, jun. bookseller, to Agnes, only daughter of the late John Grindlay, Esq. Edinburgh.

— At Edinburgh, Henry Wight, Esq. advocate, to Janet, eldest daughter of the late Ninian Hill, Esq. W. S.

6. At Edinburgh, George Lindley, Esq. merchant in Leith, to Violet, youngest daughter of John Borthwick Gilchrist, LL.D. Professor of Oriental Languages, to the Hon. East India Company.

10. At London, William Turner, Esq. his Majesty's Secretary of Embassy to the Ottoman Porte, to Mary Anne, eldest daughter of John Mansfield, Esq. M.P. for Leicester.

12. At Paris, George Murray, Esq. son of the late Vice-Admiral Sir George Murray, K.C.B. to Alicia, eldest daughter of Thomas Strickland, Esq.

13. At Rothesay, John Stewart, Esq. Rothesay, to Agnes, eldest daughter of the late Robert Oliphant, Esq. Glasgow.

14. At Weymouth Church, the Rev. David Laing, Eastington, Gloucestershire, to Mary Elizabeth, second daughter of John West, Esq.

— At Camberwell, London, Alexander Nairne, Esq. Commander of the Hon.

East India Company's ship General Kyd, to Ann Spencer, eldest daughter of Nathaniel Domet, Esq. of Camberwell Grove.

15. At Berrisdale, Ross-shire, John Mackenzie, Esq. writer, Tain, to Miss Christian Henderson Mackenzie, third daughter of Kenneth Mackenzie, Esq. of Berrisdale.

16. At Edinburgh, James Gibson, Esq. of Hillhead, Glasgow, to Jessie, only daughter of the late John Wilson, Lieut. and Adjutant in the Canadian regiment.

— At Bahnungie, John Small, Esq. to Mary Anne, youngest daughter of William Lindesay, Esq. of Balmungie, Fifeshire.

19. At Norrieston, Lieut. Donald Robertson, 82d foot, to Agnes, daughter of the late John Macfarlane, Esq. Borand.

— At Edinburgh, Mr William N. Grant, S.S.C. to Anne, second daughter of George Miller, Esq. Hope Park, Edinburgh.

20. At Middleton, near Glasgow, Walter Buchanan, Esq. merchant, Glasgow, to Mary, eldest daughter of John Hamilton, of Mavishank, Esq.

23. At Great King Street, Edinburgh, Mungo Nutter Campbell, Esq. to Anne Amelia, second daughter of the late Donald MacLachlan, of MacLachlan, Esq.

24. At Argyle House, in Park Lane, London, Lord Francis Conyngham, to Lady Jane Paget, daughter of the Marquis of Anglesea.

29. At South Bridge, near Aberdeen, William Simpson, Esq. advocate in Aberdeen, to Helen, third daughter of Patrick Still, Esq. South Bridge.

— At Bridge Town, Barbadoes, William Moffat, Esq. to Miss Emily Woolford, only daughter of J. Woolford, Esq. merchant there.

MAY 3. At Kirkaldy, H. Stopford Nixon, Esq. R. N. to Charlotte, third daughter of Walter Fergus, Esq. of Strathgore.

4. At London, James John Fraser, Esq. Major in the 7th Hussars, to Charlotte Ann, only child of the late Daniel Crauford, Esq.

— At London, Captain Francis J. Davies, of the grenadier guards, to Anna, eldest daughter of Lieut.-General Dunlop, M.P. of Dunlop, county of Ayr.

5. At George's Place, Leith Walk, Mr W. B. Mackenzie, silk-mercer, Edin-

burgh, to Agnes Greig, second daughter of Mr Robert Andersón, merchant, Leith.

6. The Rev. John Peel, son of Sir Robert Peel, Bart. to Augusta, daughter of John Swinfen, of Swinfen House, in the county of Stafford, Esq.

— At Camberwell church, the Rev. William Swete, second son of the late Rev. John Swete, of Oxten House, Devonshire, to Mary Ann, youngest daughter of David Gordon, Esq. of Abergeldie, N. B., and Dulwich Hill, Surrey.

7. At Mrs Keith's, Corstorphine Hill, James Wilson, Esq. to Miss Isabella Keith, youngest daughter of the late William Keith, Esq. of Corstorphine Hill.

— At Dinapore, George Paxton, Esq. M.D. in the military service of the Hon. the East India Company, to Margaret Maria, second daughter of William Spottiswoode, Esq. Claywhat, Perthshire.

8. At Pennyland, near Thurso, Robert Rose, Esq. writer in Thurso, to Elizabeth, third daughter of the late Alex. Paterson, Esq. Pennyland.

11. The Rev. H. H. Milman, Professor of Poetry in the University of Oxford, to Mary Ann, youngest daughter of Lieut.-General Cockell, of Sandleford Lodge, Berkshire.

— At the parish church of Blackburn, James Hozier, Esq. advocate, younger of Newlands and Barrowfield, to Catherine Margaret, second daughter of William Feilden, Esq. of Fenniscollies, Lancashire.

12. At London, the Marquis of Exeter, to Miss Isabella Poyntz, daughter of W. S. Poyntz, Esq. of Grosvenor Place.

— At Agra, in Bengal, J. W. Boyd, Esq. of the Hon. East India Company's medical service, to Miss Helen Merchande.

15. At London, John Cross Buchanan, of Auchintoshan, Esq. to Jean, eldest daughter of Andrew Wardrop, Esq. of the island of Madeira.

18. At Edinburgh, S. Callender, Esq. merchant, to Amelia, youngest daughter of the late Mr Archibald, wine-merchant, Leith.

— At Trull, Somersetshire, the Rev. David Smith Stone, only son of Webb Stone, Esq. of Cornetrowe House, near Taunton, to Isabella Ann, eldest daughter of the late Captain Thomas Elphinstone, R.N. of Belair House, in the county of Devon.

21. At London, the Rev. William Robinson, son of Sir John Robinson, Bart. to the Hon. Susanna Sophia Flower, eldest daughter of Lord Viscount Ashbrook,

— Philip Anglin, Esq. M.D. of the island of Jamaica, to Catherine Margaret, eldest daughter of the late Colonel John Robertson.

25. At Banff, George Craigie, Esq. M.D. of the Bengal medical service, to Jane, only daughter of John Wilson, Esq.

*Lately*, At the Isle of Wight, John George Campbell, Esq. of the 32d regiment, (nephew of the Duke of Argyle,) to Ellen Flax, fourth daughter of Sir Fitz-William Barrington, Bart. of Barrington Hall, in the county of Essex, and Swainston, in the island.

JUNE 1. At Paris, the Prince Polignac, to Madame le Marquise de Choiseul, widow of the Marquis de Choiseul, and niece to Lord Rancliffe.

— At Burntsfield Place, Edinburgh, William Bowden, Esq. of Hull, to Margaret Sawers, eldest daughter of Archibald Anderson, Esq.

— At Bo'ness, Islay Burns, Esq. surveyor of his Majesty's Customs, to Janet, third daughter of the late Andrew Milne, Esq. merchant there.

— At Drumpellier, Lieut. John Hay, R. N. to Marion, eldest daughter of David Carrick Buchanan, Esq. of Drumpellier.

— At the house of Andrew Wauchope, Esq. Salisbury Road, Edinburgh, Dr James Kellie, physician in Dunbar, to Mary, second daughter of the late Mr George Wauchope.

2. At Gayfield Square, Edinburgh, David Arthur Davies, Esq. surgeon, Llanally, to Spencer Boyd, eldest daughter of Andrew Sievwright, Esq. merchant, Edinburgh.

— At Calcutta, Captain Joseph Orchard, of the Hon. East India Company's 1st European regiment, to Miss Maria Douglas, niece of Lieut.-Col. John Lewis Stuart.

— At Lima, John Maclean, Esq. merchant, to Senora Rosa Echanes, of that city.

5. In Sydney, New South Wales, Alex. Dick, Esq. Captain of the 2d battalion 31st regiment, Bengal infantry, to Louisa, second daughter of Simon Lord, Esq. Sydney.

7. At Tunbridge Wells, William Thomas Thornton, Esq. to Hannah Isabella Cornelia, eldest daughter of the late Col. Halket Craigie of Hallhill, in the county of Fife.

— At St George's, Hanover Square, London, the Hon. Captain W. L. Fitzgerald, De Roos, of the 1st regiment of life guards, to Lady Georgianna Lennox, daughter of the Duke of Richmond.

8. At Glasgow, John Graham, Esq. of Nether Glenly, to Isabella, second daughter of James Stiven, Esq. Glasgow.

9. At Windsor Street, Leith Walk, Mr John Connell, merchant, to Miss Elizabeth Johnson.

11. At Warriston Crescent, Edinburgh, David Canning, Esq. surgeon, to Mary Stewart, eldest daughter of John Reid, Esq.

12. At Edinburgh, A. F. Smith, Esq. surgeon, Kirkaldy, to Mary Ann, daughter of James Burn, Esq. manufacturer, Edinburgh.

14. At Glasgow, Robert Mitford Peacock, Esq. eldest son of Robert Peacock, Esq. of Solsgrith House, late of Calthorpe Hall, Yorkshire, to Mary, third daughter of Mr John McCallum, wine-merchant, Glasgow.

— At Glasgow, Mr Thomas Young, merchant, to Catherine, second daughter of Mr John McCallum, wine-merchant, Glasgow.

15. At Paisley, Mr James Allan, jun. merchant, Glasgow, to Janet, second daughter of Thomas Leishman, of Oakshaw, Esq.

— At Pilrig Street, Edinburgh, Robert Blackie, Esq. to Eliza, daughter of the late Burridge Purvis, Esq. of Glassmount.

— At the Haining, Archibald Douglas, Esq. son of Archibald Douglas, Esq. of Adderstone, to Margaret Violetta, daughter of the late Mark Pringle, Esq. of Clifton.

15. At St Mary's, Woolwich, William Hunter, Esq. of Cessnock Hall, Lanarkshire, to Mary, only daughter of James Reid, Esq. royal horse artillery.

— At St Philip's Church, Liverpool, William Blair McKean, Esq. merchant, Leith, to Marianne, daughter of John McCulloch, Esq. M.D. Liverpool.

16. At Craighead, Archibald Smith,

Esq. merchant, Glasgow, to Elizabeth, daughter of Thomas McCull, Esq. of Craighead.

17. At the Collegiate Church, Manchester, Charles Grant, Esq. of Barwood House, near Bury, to Mary Ann, only daughter of Thomas Worthington, Esq. of Sharson Hall, Cheshire.

19. At St George's Church, Hanover Square, London, Captain Fox, son of Lord Holland, to Miss Mary Fitzclarence.

21. At Park Place, Edinburgh, the Right Hon. the Earl of Leven and Melville, to Elizabeth Ann Campbell, second daughter of the Hon. Lord Succoth.

— At Edinburgh, Munro Ross, Esq. of Rosshill, to Grace, youngest daughter of the late John Cuming, Esq.

22. At Glasgow, Thomas Campbell, Esq. to Agnes, second daughter of Kirkman Finlay, Esq. of Castle Toward.

— At Woodhall, Thomas Bannerman, Esq. to Jane, second daughter of George Hogarth, jun. Esq. of Woodhill.

JULY 1. At Masham, Yorkshire, the Rev. John Stewart, minister of Sorn, to Mary, daughter of the late Lieut.-General Gammel.

— At Eldersly House, Robert C. Bontine, Esq. of Ardoch, eldest son of William C. C. Graham, Esq. of Gartmore, to Frances Laura, daughter of Archibald Speirs, Esq. of Eldersly, and granddaughter of the late Right Hon. Lord Dundas.

2. At Phantassie, James Aitchison, Esq. second son of William Aitchison, Esq. of Drummorie, to Janet, second daughter of George Rennie, Esq. of Phantassie.

— In St Paul's Chapel, York Place, Edinburgh, Dr John Argyll Robertson, to Anne, second daughter of the late Charles Lockhart, Esq. of Newhall.

5. At Dundee, the Rev. Dr Ireland, Catharine Bank, North Leith, to Catherine, second daughter of the late Dr Henderson, physician, Dundee.

6. At Kingston Place, Glasgow, Capt. Lauchlin Macquarrie, 33d regiment of foot, to Miss Margaret McAlpin, fourth daughter of the late Daniel McAlpin, Esq. of Ardnaclaigh.

— At Sackville House, county of Kerry, Ireland, Major David Graham, 59th

regiment of foot, to Miss Honoria Stokes, daughter of Oliver Stokes, Esq. of the above county.

6. At Drylaw, Captain Charles Hope Watson, R. N. to Miss Mary Ramsay, youngest daughter of the late William Ramsay, Esq. of Barnton.

— In Great King Street, Edinburgh, Richard Pantou, Esq. of the island of Jamaica, and University of Cambridge, to Sophia Elizabeth, eldest daughter of the late David Morrison, Esq. of the Hon. East India Company's civil service, Bengal establishment.

7. Dr Anderson, 92d regiment, to Georgiana, third daughter of the late Captain John Graham, of the revenue service.

— At Edinburgh, James Naismith, Esq. writer, Hamilton, to Janet, eldest daughter of the Rev. James Smith.

8. At Kirkaldy, Hugh Lumsden of Pitcaple, Esq. advocate, to Isabella, fourth daughter of Walter Fergus, Esq. of Strathore.

— At Morningside, Mr George G. Thomson, merchant, Leith, to Mary, youngest daughter of the late John Richmond, Esq. wine-merchant, Edinburgh.

— At St George's, Hanover Square, London, the Hon. Colonel Henry Lygon, M.P. to Lady Susan Elliot, second daughter of the Earl and Countess St Germain.

— At Aberdeen, George Keith, Esq. of Usan, to Elizabeth, daughter of Mr Donald, baker, Aberdeen.

— At London, Lord Garvagh, to Rosabella Charlotte, eldest daughter of Henry Bonham, Esq. M.P. for Sandwich.

— At Ayr, W. F. Bow, M.D. Alnwick, Northumberland, to Jane, daughter of Lieut.-Colonel Mackenzie, late of his Majesty's 72d regiment of Highlanders.

— At Edinburgh, David Greig, Esq. W.S. to Catharine, daughter of Mr Josiah Maxton, Albany Street.

— At Edinburgh, John Campbell, Esq. younger of Succoth, to Anne Jane, youngest daughter of the late Francis Sitwell, Esq. of Barmour Castle, Northumberland.

12. At Dundee, Edward Baxter, Esq. merchant there, to Euphemia, youngest daughter of the late William Wilson, Esq. of Whitfield.

13. At Burntisland, the Rev. Matthew Leishman, minister of the Gospel at Go-

van, to Miss Jane Elizabeth Boog, daughter of the late Robert Boog, Esq.

13. At Biddenden, Kent, the Right Hon. Lord George Henry Spencer Churchill, son of his Grace the Duke of Marlborough, to Elizabeth, eldest daughter of the Rev. Dr Narcs, Rector of Biddenden, and niece to the Duke of Marlborough.

— The Hon. and Rev. Henry Edward John Howard, youngest son of the Earl of Carlisle, to Henrietta Elizabeth, daughter of J. Wright, Esq. of Mapperly, in the county of Nottingham.

— The Right Hon. Lord De Dunstanville, to Miss Lemon, daughter of Sir William Lemon, Bart.

14. At Kneesworth House, the residence of Francis Pym, jun. Esq. Henry Smith, Esq. third son of Samuel Smith, Esq. of Woodhall Park, to Lady Lucy Leslie Melville, eldest sister of the Earl of Leven and Melville.

— At Croydon, Surrey, Frederick John Bassett, Esq. surgeon, Colman Street, to Isabella, eldest daughter of the late James Dickson, Esq. of Croydon, and niece to the late Mungo Park, Esq.

15. At Orchardmains, the Rev. Thomas Struthers, Hamilton, to Isabella, eldest daughter of Adam Brydon, Esq. of Orchardmains.

— At 77, Rose Street, Edinburgh, John Renwick, merchant, Leith, to Jean, daughter of the late William Scott, Esq. formerly of Betach, Dumfries-shire.

16. At Balranald, the Rev. Finlay MacRae, minister of North Uist, to Isabella Maria, youngest daughter of Col. Macdonald of Lyndale.

19. At Edinburgh, by the Rev. James Henderson, according to the forms of the Presbyterian Church, and on the 17th current, by the Right Rev. Bishop Sandford, according to the forms of the English Church, Sir Alexander Don, of Newton Don, Bart. Representative in Parliament for the county of Roxburgh, to Grace Jane, eldest daughter of John Stein, Esq. Heriot Row.

— At Ashted, in Surrey, Robert Campbell Scarlett, Esq. eldest son of James Scarlett, Esq. M.P. to Sarah, youngest daughter of the late George Smith, Esq. Chief Justice of the Mauritius.

— At Tuam Cathedral, Edward Barrington, Esq. of the 5th dragoon guards,

son of Sir Jonah Barrington, Judge of his Majesty's Court of Admiralty in Ireland, to Anna Hamilton, third daughter of Netteville Blake, of Berming House, county Galway, Esq. and grand-niece to Viscount Netteville.

19. At Aberdeen, James Ross, Esq. solicitor, Edinburgh, to Margaret, eldest daughter of William Dyce, M.D. Aberdeen.

20. At Castlemilk, James Hotchkiss, Esq. of Templehall, W. S. to Margaret, youngest daughter of Thomas Hart, Esq. of Castlemilk.

— At Ratho, the Rev. J. J. Macfarlane, Shettleston, Glasgow, to Elizabeth, eldest daughter of Mr John Anderson.

21. At Edinburgh, the Rev. John M. Turner, Rector of Welmslow, Cheshire, to Miss Louisa Lewis Robertson, third daughter of the late Captain George Robertson, of the R. N.

22. At Yarmouth Church, John Joseph Robinson, Esq. to Cordelia Anne, only daughter of John Danby Palmer, Esq. of Yarmouth, in the county of Norfolk.

— At Sidmouth, Charles Butler Stevenson, Esq. late of the Scots Greys, to Harriet Mary-Ann Graham, daughter of the late James Graham, Esq. of Richardby, Cumberland.

23. At Edinburgh, James W. Dickson, Esq. advocate, to Jeanette Helen, daughter of the late James Morison of Greenfield, Esq.

— At Edinburgh, Mr Robert Plenderleith, Borland, Eddlestone, to Miss Jean White, Peebles.

— At Bombay, Capt. Alex. Macdonald, of the Bengal Establishment, and Political Agent in Baugeon and Kantil, to Miss Maria Elphinston, daughter of John Elphinston, Esq. of the civil service, and late Member of Council on the Presidency of Bombay.

26. At Edinburgh, Henry Englefield, Esq. son of Sir Henry Charles Englefield, Bart. to Catherine, eldest daughter of Henry Witham of Lartington, in the county of York, Esq. The ceremony was performed by the Right Rev. Dr Cameron, Catholic Bishop, and afterwards by Sir Henry Moncrieff Wellwood, Bart. according to the forms of the Church of Scotland.

26. At St Paul's Chapel Edinburgh, Samuel Beazley, Esq. to Miss E. F. Conway.

27. At Kensington Church, the Lord Bishop of Jamaica, to Miss Pope, daughter of the late E. Pope, Esq.

— John Hutton, Esq. merchant, Leith, to Jane, youngest daughter of Peter Wood, Esq. Rosemount, Leith.

28. At Irvine, James Johnston, Esq. town-clerk of Irvine, to Jean, second daughter of the late James Crichton, Esq. banker there.

— At Inverkeithing, Lieut. Robert Cock, R. N. to Elizabeth Greig Currie, eldest daughter of William Currie, Esq. of Swintonsbeath.

29. At Nagpore, Captain D. Bruce, Assistant Commissary-General, to Margaret, fourth daughter of the Rev. Dr Duncan, Ratho.

— At Nagpore, John Wylie, Esq. M.D. Madras army, surgeon in the service of H. H. the Rajah of Nagpore, to Susan, sixth daughter of the Rev. Dr Duncan, Ratho.

30. At Bellhaven Park, Ellis Dudgeon, Esq. to Elizabeth, eldest daughter of the late George Johnston, Esq.

— At Woodside, Harvey Strong, Esq. American Consul, to Janet, eldest daughter of Colin Gillespie, Esq.

31. At Gibraltar, Major John Marshall, Military Secretary to his Excellency General the Earl of Chatham, to Elizabeth, eldest daughter of William Toye, Esq. Judge of his Majesty's Court of Civil Pleas in that garrison.

AUGUST 2. At Dundee, the Rev. G. D. Mudie, of Rochford, Essex, to Miss Wedderburn Ainslie, daughter of Mr Ainslie of Dundee.

— At Kilmarnock, William Orr, Esq. to Anne, youngest daughter of the late Alexander Fowlds, Esq.

3. At Dalryell Lodge, Fifeshire, Robert Lindsay, Esq. second son of the Hon. Robert Lindsay of Balcarres, to Frances, daughter of Sir Robert Henderson of Straiton, Bart.

— At Musselburgh, Edward, son of James Johnston, Esq. of Clifton, Gloucestershire, to Sarah, eldest daughter of James Porteous, Esq. Musselburgh.

— At Portobello, David Watson, Esq. writer in Edinburgh, to Elizabeth,



youngest daughter of the late Francis Beaumont, Esq. Knockhouse, near Dunfermline.

4. At Kirkbyhill Church, near Boroughbridge, James Mellor Brown, Esq. formerly of Gattonside, Roxburghshire, to Mary, eldest daughter of Mr Jacob Smith, of Givendale Grange.

6. At Edinburgh, Captain Thomas Paterson, of his Majesty's 63d regiment, to Mary Ann, youngest daughter of the late Lieut.-Colonel William Sherrieff, Madras cavalry.

9. At Ayr, W. A. Smith, Esq. Adjutant 1st Ayrshire yeomanry cavalry, to Miss George Elizabeth Crawford of Doonside.

— At Southfield Cottage, Mr William Phipps, Cramond, to Clementina, second daughter of the late Alexander Dick, Esq. accountant, Edinburgh.

11. At London, Captain Sanderson, Bengal cavalry, to Elizabeth Oswald, eldest daughter of Alexander Anderson, Esq. Chapel Street, Grosvenor Square.

13. At Inverness, D. Campbell, Esq. surgeon, to Alexanderina Forbes, third daughter of the late Capt. John Forbes.

16. At Crauford, the Hon. George Charles Grantley Fitzhardinge Berkeley, sixth son of the late Earl of Berkeley, to Caroline Martha, second daughter of the late Paul Benfield, Esq.

— At Edinburgh, Peter Hill, jun. Esq. to Ann, only daughter of Daniel Macdowall, Esq. of St Vincent.

— At Branxton, George Rennie, Esq. East Craig, to Isabella, only daughter of the late John Turnbull, Esq. of Branxton.

17. At Glasgow, Alexander Stevenson, Esq. W. S. to Catherine, second daughter of Andrew White, Esq. Charlotte Street.

— At Manse of Meldrum, the Rev. William Grant, minister of Duthil, to Mary, youngest daughter of the late Dr Garioch.

— At Invergordon, the Rev. David Fraser, minister of Doros, to Miss Catherine Stormonth, third daughter of the late Rev. James Stormonth, minister of Airly.

— At London, the Earl of Kinnoul, to Louisa, second daughter of Admiral Sir Charles and Lady Rowley.

— At Haddington, the Rev. Benja-

min Lang, Arbroath, to Georgina, sixth daughter of the Rev. Mr Chalmers, Haddington.

17. At Glasgow, Thomas Paul Macgregor, Esq. late lieutenant of the Bengal auxiliary cavalry, eldest son of Col. J. A. P. Macgregor, Auditor-General of the Bengal forces, to Miss Katherine Livingstone, eldest daughter of William Livingstone, Esq.

18. At Parkhead, near Perth, Mr William Bruce, merchant, Edinburgh, to Agnes, daughter of Robert Morison, Esq.

19. At Dumfries, John Clark, Physician to the forces at Albany barracks, Isle of Wight, to Mary, daughter of John Gilchrist, M.D.

— At Glentyan, the Rev. Henry John Ingilby, Rector of West Keal, Lincolnshire, to Elizabeth, second daughter of the late Day Hort M'Dowall, Esq. of Wakingshaw.

20. At Edinburgh, Jacob Keyser, Esq. Professor of Chemistry and Natural Philosophy in the University of Christiania, Norway, to Miss Maria Frances Frederici, daughter of the late Francis Frederici, Esq. some time governor of Surinam.

— At Dublin, Anthony P. Marshall, Esq. of Edinburgh, to Frances, fourth daughter of the late Smollet Holden, Esq. of Dublin.

21. At Manse of Forglen, James Morrison, Esq. Haughs, to Johnston, eldest daughter of the Rev. L. Moyes, minister of Forglen.

23. At Glasgow, Mr William Motherwell, merchant, to Ann Nicol, third daughter of Robert Nicol, Esq. Hutchesontown.

— At Westfield, Kingston, John Macalpine, Esq. surgeon, to Ellen, daughter of the late John Webster, Esq. Stone O'Morphy, Kincardineshire.

25. At the Manse of Panbride, the Rev. William Robertson of Carmylie, to Dorothea, daughter of the Rev. David Trail, Panbride.

— At St Martin's-in-the-Fields, London, George Rennie, Esq. junior, of Phantassie, East Lothian, to Jane, eldest daughter of the late John Rennie, Esq.

27. At Merton Hall, Wiltshire, James Haldane Tait, Esq. Captain royal navy, to Miss Mary Yule, youngest

daughter of the late Benjamin Yule, Esq. of Wheatfield, near Edinburgh.

27. At Traprain, James Murray, Esq. to Clarissa, daughter of the late Rev. George Goldie, Athelstoneford.

30. At the Manse of Crailing, Mr Robert Strachan, London, to Elizabeth, fourth daughter of the Rev. David Brown.

— At Heatherwick House, East Lothian, Samuel Anderson, Esq. wine-merchant, to Anne, eldest daughter of the late James Milnes, Esq. and niece to Lieutenant-General Hardyman.

31. At Dolls, Stirlingshire, William Haig, Esq. Bonnington, to Elizabeth, youngest daughter of John Philip, Esq.

*Lately.* At 4, Kier Street, Edinburgh, Mr William Crawford, merchant, Montrose, to Elizabeth, daughter of the late Mr James Aikman, jun. distiller, House of Muir.

— At Patna, East Indies, W. C. Smith, Esq. Judge and Magistrate of Gharipore, to Anne Jessie, fourth daughter of the late Donald McKenzie, Esq. of Haitfield, in Ross-shire.

— At Fredericktown, New Brunswick, Major M'Nair, of the 52d light infantry, to Miss Eleanor Stansur, daughter of the Right Rev. the Lord Bishop of Nova Scotia.

SEPTEMBER 1. At St George's, Hanover Square, London, Lieutenant-Colonel Allen, of the late 23d lancers, to Miss Mitchell, eldest daughter of the late Colonel Campbell Mitchell, niece to Lady Fletcher, of Ashley Park, and Lady Leith.

2. At St James's Church, Piccadilly, London, Lord Elliot, only son of the Earl of St Germans, to the Right Hon. Lady Jemima Cornwallis, third daughter of the late Marquis Cornwallis.

— At Bonnington, John Adair, Esq. of Genoch, Wigtonshire, to Christina, eldest daughter of the late John Haig, Esq.

— At the Manse of Daviot, the Rev. Henry Simson, minister of Chapel of Garioch, to Mary, second daughter of the Rev. Robert Shepherd, minister of Daviot.

5. At Kirkmichael, James Crawford, Esq. M.D. to Ann Whiteford, eldest daughter of David Kennedy, Esq. of Kirkmichael.

6. At Symington Lodge, Alexander Wardrop, Esq. of Madras, to Jesse, third daughter of the late Robert Burn, Esq. architect, Edinburgh.

— At Glasgow, Daniel Emile Patrice Hennessy, Esq. eldest son of Patrice Hennessy, Esq. banker, Brussels, to Catherine, only daughter of John Knox, jun. Esq. Glasgow.

7. At Cowie, Stirlingshire, Mr John Forrester, merchant, Glasgow, to Margaret, eldest daughter of James Macnab, Esq. distiller.

11. At St Margaret's Church, Westminster, John Mitchell, Esq. M.P. to Eliza, eldest daughter of John Elliot, Esq. of Pimlico Lodge.

13. At Comely Bank, by the very Rev. Principal Baird, Mr Robert Kirkwood, engraver, to Bathia, youngest daughter of Robert Dunbar, Esq. Tax-office.

14. At Edinburgh, John Gibson, jun. Esq. W.S. to Charlotte Ellen, eldest daughter of John Gordon, Esq. Salisbury Road.

— At Fenwick, James Wylie, Esq. of Gameshill, to Jean, second daughter of Mr John Kerr, Stewarton.

15. At London, Lord Ellenborough, to Jane Elizabeth Digby, only daughter of Rear-Admiral Digby and Viscountess Andover.

— At Dalton, Dumfries-shire, John Hannay, Esq. W.S. to Miss Eliza S. Kennedy, only daughter of the late J. Kennedy, Esq.

— At Leith, Mr John Niven, merchant, to Mrs Mary Spalding, widow of Dr Alex. Spalding, Port Maria, West Indies.

16. At Stafford Street, Edinburgh, Major-General Hamilton, to Mary Augusta, youngest daughter of the late Alexander Bower, Esq. of Kincaldrum.

— At Bolton Percy, in Yorkshire, his Grace the Archbishop of York, George Baillie, junior, Esq. eldest son of George Baillie, Esq. of Jerviswoode, to Georgina, youngest daughter of Mr Archdeacon, Markham.

21. At St Andrew's, Mr John Buchan, writer, St Andrew's, to Ann, daughter of Mr Alexander Thomson, merchant there.

— At Glasgow, Mr Ebenezer Bow, merchant, Glasgow, to Miss Jane Brown,

only daughter of the late Mr William Brown, merchant there.

23. At the house of the British Ambassador, at Paris, Lieutenant-Colonel the Hon. James Knox, son of Viscount Northland, to Mary Louisa, eldest daughter of Edward Taylor, of Bifrons, in the county of Kent, Esq. and niece to Major-General Sir Herbert Taylor.

27. At Montrose, the Rev. John Wood, A. M. to Annabella, second daughter of Captain Bryden, of that place.

— At Dublin, the Rev. W. H. Drummond, D. D. minister of the Presbyterian Church of Strand Street, to Miss Catharine Blackly, daughter of the late Robert Blackly, Esq. of Lurgan Street.

— At Lanark, Thomas M. Moffat, Esq. solicitor, Edinburgh, to Miss Jessie Finlay Boyd, daughter of the late Mr James Boyd, of King's Knowe, Lanark.

28. Lord Henry Seymour Moore, only brother to the Marquis of Drogheda, to Mary, second daughter of Sir Henry Parnell, Bart. M. P. for the Queen's county, and niece of the Marquis of Bute and Earl of Portarlington.

*Lately.* At London, Captain Alexander Fraser, royal engineers, eldest son of Vice-Admiral Fraser, to Cecile, only daughter of the late Count de Jullienne.

OCTOBER 4. At Edinburgh, William Henry Dowbigging, Esq. to Georgina, fourth daughter of the Hon. William Maule, of Pannure, M. P.

— At Riccarton, William Kaye, of the Middle Temple, Esq. barrister-at-law, to Mary Cecilia, eldest daughter of James Gibson Craig, of Riccarton, Esq.

— At Glasgow, Thomas Galbraith Logan, Esq. M. D. surgeon of the 5th dragoon guards, to Mrs Mary Ann Snodgrass, relict of John Buchanan, Esq. of Padrishmore.

— At Aberdeen, William Forbes Robertson, Esq. of Hazlehead, to Helen, youngest daughter of James Hadden, Esq.

5. At Dedham, Margaret, second daughter of the late Major-General Borthwick, of the royal artillery, to George Round, Esq. of Lexden, near Colchester.

— At Hampton Court, the Hon. and very Rev. the Dean of Windsor, to Charlotte Selina, second daughter of Richard Moore, Esq. of Hampton Court Palace.

5. At Edinburgh, Peter Clarke Gibson, Esq. surgeon, to Catherine, second daughter of the late John McKenzie, Esq. of Strathgarve.

— At Hermitage Place, Leith, Mr Ebenezer Watson, to Isabella, daughter of W. Thorburn, Esq.

— John Lewis Graham Balfour, Esq. W. S. to Alexis, eldest daughter of Charles Mercer, Esq. Allan Park, Stirling.

— At Millfield, Haddington, Peter Crooks, Esq. W. S. to Marion, daughter of Mr Peter Dods.

— Alexander Warrand, Esq. Madras medical establishment, to Emilia Mary Davidson, second daughter of H. R. Duff, Esq. of Muirfoun, Inverness-shire.

6. At Elgin, William M. MacAndrew, Esq. merchant in Lisbon, to Anne, second daughter of Mr Forsyth, bookseller in Elgin.

11. At Dalserf, James Bruce, of Broomhill, Esq. to Janet, third daughter of William Jamieson, Esq. merchant in Glasgow.

12. At Garngad Hill, Dr M. S. Buchanan, to Agnes, youngest daughter of William Leechman, Esq. merchant, Glasgow.

— At Edinburgh, Dr Andrew Turnbull, to Margaret, third daughter of George Young, Esq. accountant of excise.

— At Mayfield, Lieutenant William Bremner, of the 24th regiment, Madras army, to Georgina Huntly, fourth daughter of the late James Robertson, of Mayfield, Esq. W. S.

13. At Aberdeen, Major J. S. Sinclair, royal artillery, to Euphemia, eldest daughter of the late Thomas Buchan, Esq. of Auchmacoy.

— At London, Henry Eyster, Esq. of Rowton Castle, in the county of Salop, to Lady Charlotte Barbara Ashley Cooper, daughter of the Earl of Shaftesbury.

14. At London, Charles Murray, Esq. of St Peter's College, Cambridge, third son of Major-General John Murray, late Lieutenant-Governor of Demerara, to Frederica Jane, second daughter of the late Frederick Groves, Esq.

16. Christopher James Magnay, Esq. of College Hill, eldest son of Alderman Magnay, to Caroline, third daughter of Sir Charles Flower, Bart. of Mill Hill, Middlesex.

16. At Guernsey, James Cockburn, Esq. to Maria Louisa, eldest daughter of the late William Corbin, Esq. of Guernsey.

18. At Sundrum, the Rev. George Colville, minister of Kilwinning, to Janet Maria, daughter of the late Alexander Macdougall, Esq.

— At Woodhill, James Hadden, jun. Esq. to Elizabeth, eldest daughter of George Hogarth, Esq. of Woodhill.

— By the Rev. J. Temple, A. M. domestic chaplain to the Right Hon. the Earl of Dalhousie, James Hamilton, Esq. of Bangour, to Mary, third daughter of the Hon. William Maule, of Panmure, M. P.

19. Captain Robert Gordon, of the 45th regiment, to Miss Anne Gordon, only daughter of John Gordon, Esq. W. S. 61, Frederick Street.

— At Edinburgh, Hugh Craig, Esq. Wallace Bank, Kilmarnock, to Isabella, eldest daughter of the Rev. James Porteous.

20. At Edinburgh, Mr William Finch, merchant, Louisiana, to Janet, second daughter of the late Mr Alexander Tweedie, merchant, Edinburgh.

— At Edinburgh, Mr Thomas Thomson, merchant, Louisiana, to Isabella, third daughter of the late Mr Alexander Tweedie, merchant, Edinburgh.

21. At London, Sir P. Musgrave, Bart. M. P. Edenhall, to Miss Fluidy, niece to the Countess of Lonsdale.

— At London, John Lister Kaye, Esq. eldest son of Sir John Lister Kaye, Bart. to Miss Arbuthnot, niece to the Right Honourable Charles Arbuthnot and of the Bishop.

23. At Banff, Mr Alexander Cromar, merchant, Aberdeen, to Jane Inglis, youngest daughter of George Forbes, Esq. Banff.

26. At Aston Rowand, Oxon, the Hon. William Rodney, to Eliza Ann, youngest daughter of the late Thomas Brown, Esq.

27. At Balmungie, James Lumsdaine, of Lathallan, Esq. to Sophia, eldest daughter of William Lindsay, Esq. of Balmungie.

28. At Kirkmichael House, Argyleshire, George Cole, Esq. merchant, Glasgow, to Ann Campbell, daughter of the late Humphrey Colquhoun, Esq. merchant, Glasgow.

*Lately.* At Dublin, the Rev. Arthur Irwin, to Jemima, eldest daughter of the late Athmubty Richardson, of Richmond, county of Longford, Esq.

— At St Mary-le-bone Church, London, Richard Ford, Esq. of Gloucester Place, to Harriet, daughter of the Earl of Essex.

— At St Martin's-in-the-Fields, London, Philip Macpherson, of the 30th foot, to Caroline, Maria, eldest daughter of E. Barnette, Esq. of New Bond Street.

NOVEMBER 1. At Kirkeudbright, Captain Roxburgh, of the late Glengarry light infantry, to Miss Euphemia Melville, daughter of Alexander Melville, of Barquhar, Esq.

— At Campbelton, Mr J. Ross, jun. merchant, Glasgow, to Ann, eldest daughter of Angus McCail, Esq. of Prospect, Montego Bay, Jamaica.

• — David Smart, Esq. Inch Grundle, to Julia Richardson, eldest daughter of William Richardson, of his Majesty's customs, Leith.

2. At Edinburgh, James Glen, Esq. distiller, Mains, Linlithgow, to Miss Ann Heriot, daughter of the late Mr George Heriot.

— At Gosford, Captain Wildman, of the 7th hussars, to Lady Margaret Charteris, daughter of the Earl of Wemyss and March.

— At Hartshead Church, Yorkshire, Charles John Brandling, Esq. of the 10th royal hussars, to Henrietta, youngest daughter of Sir George Armytage, Bart. of Kirklees, in the same county.

— At the English Chapel at Lusanne, in Switzerland, Thomas Medwin, Esq. of the late 24th light dragoons, to Anne Henrietta, Countess de Starnford.

5. At Lint House, George Kinnear, Esq. banker in Edinburgh, to Euphemia, daughter of Robert Watson, Esq. banker in Glasgow.

10. At Edinburgh, James Hay, Esq. of Belton, captain royal navy, to Miss Stewart of Physgill.

— At Auchtertyre, in the county of Forfar, James Anderson, Esq. Cupar Grange, to Jessie, only daughter of William Watson, Esq. Auchtertyre.

12. At the Protestant Church at Lusanne, in Switzerland, Captain Wynne Baird, son of Robert Baird, Esq. of New-

byth, and nephew of General Sir David Baird, Bart. &c. &c. to Miss Madeline Susan Cerjat, daughter of Henry Cerjat, Esq.

13. At George Street, Edinburgh, the Right Hon. the Earl of Glasgow, to Miss Julia Sinclair, daughter of the Right Hon. Sir John Sinclair, Bart.

15. At Arbroath, James Goodall, Esq. provost, to Ann, eldest daughter of Bailie David Cargill.

— At Inverness, Donald MacQueen, Esq. of Corrybrough, captain in the Madras cavalry, to Margaret, daughter of James Grant, Esq. of Bught.

— At Edinburgh, John Taylor, Esq. attorney in Exchequer, to Dorothea Judith, fourth daughter of the late Lieutenant-Colonel Lewis Hay, of the royal engineers.

16. At Greenock, Quintin D. Ninian, Esq. merchant, to Elizabeth, eldest daughter of the late Mr John Muir, writer.

17. At York, George Cholmley, Esq. of Howsham, to Hannah, daughter of John Robinson Foulis, Esq. of Buckton, in the county of York.

— In Florence, at the hotel of the British Ambassador, Captain David Wilson, of the Bombay army, to Miss J. L. Young, daughter of the late Professor Young, of Glasgow.

18. Alexander Macduff, late of the 100th foot, to Mrs Macdonald, widow of John Macdonald, Esq. of Plantation, Kintyre, Berbee.

— At Edinburgh, Edward Platt, Esq. to Miss Sibella Morrison, second daughter of George Duncan, Esq.

19. William Home, Esq. barrack-master of Newry, to Hopewell, daughter of Isaac William Glenny, Esq. Immediately after the ceremony, the happy bridegroom was presented with a superb gold snuff-box by the officers of his late regiment, (the 86th, or Royal County Down,) in token of the high estimation in which they have held him, as a soldier and a gentleman, nearly twenty years that he has served in that distinguished corps.

22. At Greenock, James Stevenson, Esq. merchant, Glasgow, to Jane Stewart, daughter of the late Alexander Shannon, Esq. merchant, Greenock.

— At Greenbank, John Greig, Esq.

manufacturer, Glasgow, to Isabella, second daughter of Thomas Baird, Esq. of Greenbank, and present provost of Pollockshaws.

23. At Musselburgh, Captain William Walker, 85th regiment of foot, to Miss Catherine, eldest daughter of the late G. C. Ogilvie, Esq.

24. At Haddington, Alexander Fyfe, surgeon, St Patrick Square, Edinburgh, to Ann, second daughter of the late Mr Andrew Matthew, Haddington.

29. At North Bunk, Mr William Thomson, merchant, Glasgow, to Margaret, only daughter of the late Mr Malcolm Colquhoun.

— At Edinburgh, Lieutenant-Colonel Douglas, of Greencroft, Dumfries-shire, to Jane Wilhelmina, second daughter of the late Erskine Douglas, Esq. M. D.

30. At Greenock, James Maxwell, Esq. comptroller of the customs at the port of Campbelltown, to Mrs Jean Campbell, daughter of the late John Stevenson, Esq. merchant in Oban.

*Lately*, At West Grinstead Park, Sussex, Gabriel Shaw, Esq. to the Hon. Frances Erskine, eldest daughter of the Right Hon. Lord Erskine.

DECEMBER 1. At Edinburgh, Mr William Russel, London Street, to Christian, second daughter of G. Young, Esq. accountant of excise.

2. At Edinburgh, James Eckford, Esq. captain 6th regiment of Bengal native infantry, to Mary, third daughter of James Alexander Haldane, Esq. George Street.

3. At Edinburgh, Mr William Pringle, merchant in Edinburgh, to Margaret, second daughter of Mr James Rutherford, merchant there.

4. At the British Ambassador's Chapel, in Paris, William Timothy Curtis, Esq. (now, by letters patent, Baron Aumont,) nephew of Sir William Curtis, Bart. to Mademoiselle Elizabeth Sophie Aumont, of Paris.

5. At St Andrew's Church, Holborn, London, Mr James Maull Rose, of Dar-naway, near Forres, to Emma Sophia Jane Matilda Ashfield, of Ely Place, Exeter, daughter of Thomas Ashfield, Esq. solicitor.

7. At Edinburgh, David Aytone Lindsay, Esq. son of the late Patrick Linde-

say, Esq. of Wormiston, to John Emelia, daughter of the late John Aytone, Esq. of Kippo.

7. Mr James Turnbull, accountant, Glasgow, to Margaret, only daughter of the late Thomas Falconer, jun. Esq. writer there.

— At Stockport, Cheshire, Alexander M'Gibbon, Esq. of Crawhill, town clerk of Queensferry, to Agnes, second daughter of the late Alexander Laing, Esq. Lighthgow.

8. At St George's, Hanover Square, London, William Stiles Rae, Esq. Hull, to Mary Anne, only daughter of James Brander, Esq. Park Street.

— In the parish church of Little Marlow, Sir Thomas Francis Freemantle, of Swanbourne, Bart. to Louisa Elizabeth Nugent, the eldest daughter of General Sir George Nugent, Bart. G. C. B. and member for Buckingham.

10. At Edinburgh, Mr Peter Sinclair, merchant, Leith, to Miss Ann Grant, eldest daughter of Mr George Moir, chemist, Edinburgh.

13. At Great King Street, Edinburgh, John Swanston, Esq. Banden, Ireland, to Eliza, youngest daughter of the late Dr William Swanston, of St Kitts.

— At Clyde Buildings, Mr John Leadbetter, merchant, Glasgow, to Ann, eldest daughter of Robert Hutton, Esq. merchant.

14. At Walcot Church, Bath, Major Hodge, of his Majesty's 24th regiment, to Maria, youngest daughter of Lieutenant-General Cameron, of Nea House, Hants.

15. At Perth, the Rev. John Burns, minister of Auchtergaven, to Miss Elizabeth Stirling, second daughter of Henry Stirling, late farmer at Innerpaffray.

— At Clyde Bank, Bernard Albinus Watt, Esq. of Créscent, near Dundee, to Miss Jane Cunninghame, daughter of Colin Arrott, Esq. of Clyde Bank, near Glasgow.

16. At Edinburgh, the Rev. James Pate, minister of Innerleithen, to Jean, daughter of the late Mr Thomas Potts, Jedburgh.

— At Mary-le-bone Church, London, the Hon. George Cathcart, of the 7th hussars, the third son of the Earl Cathcart, to the Right Hon. Lady Georgiana

Greville, the eldest daughter of the late Hon. Robert F. Greville, and Louisa, (in her own right,) Countess of Mansfield, his wife.

20. At Paris, in the chapel of the British Embassy, Robert Buchapan, Esq. younger of Drumpellier, to Sarah Maria C. Hoare, eldest daughter of Sir Joseph Wallis Hoare, Bart.

20. At Gosford, the Right Hon. Geo. Harry Lord Grey, eldest son of the Earl of Stamford and Warrington, to Lady Katharine Charteris, third daughter of the Earl of Wemyss and March.

— At Rhinie, Alexander Macbarnet, Esq. of St Vincent, to Mary, eldest daughter of William Baillie Rose, Esq. of Rhinie.

— At Ayr, Thomas Ranken, Esq. writer, to Jane Campbell Logan, daughter of the late John Logan, Esq. of Knockslinnoch.

— At Alloa, Mr Henry Thomson, to Jacobina Stewart, eldest daughter of John Drummond, Esq. Alloa.

— At Tradeston, Glasgow, Patrick Neilson, Esq. of Comquhill, to Janet, youngest daughter of William Loudon, Esq.

21. At Spott House, William Copeland, Esq. to Elizabeth, second daughter of Robert Hay, Esq. of Spott.

— At Inverkeithing, Robert Hill, Esq. writer, Stirling, to Janet, second daughter of the Rev. Ebenezer Brown, Inverkeithing.

25. At Leith Walk, the Rev. S. M'Gregor, to Mary, second daughter of James Leslie, Esq.

27. At St Mary-le-bone Church, London, Charles Heard Beague, Esq. royal engineers, to Mary, eldest daughter of the late Major-General James Pringle, of the Hon. East India Company's service.

— At Ayr, Lachlan Mackintosh, Esq. S. S. C. Edinburgh, to Isabella, third daughter of Andrew Gemmel, Esq. of Langlands.

28. At Dundee, John Peter, Esq. Springhill, to Jessie, second daughter of William Lindsay, Esq. Carolina Port.

— At Kingarar, Island of Mull, Peter M'Arthur, Esq. Ardwea, to Flora, daughter of the late John M'Lean, Esq. of Langamull.

30. At the Manse of Kincardine O'Niel, the Rev. James Gordon Garioch, minister of Strachan, to Helen, eldest daughter of the Rev. John Rodger, minister of Kincardine O'Niel.

*Lately.* At Polstead, by the Rev. John Whitmore, Chamberlain Hinchliff, Esq. of London, to Sarah, eldest daughter of Woodbine Parish, Esq. one of his Majesty's commissioners of excise.

— At Wessel, in Prussia, Sir William Congreve, Bart. M.P. to Isabella, relict of Henry Nesbitt M'Evoy, Esq.

### DEATHS.

JANUARY 1. At Edinburgh, Mr Allan Grant, messenger at arms.

— At Canongate, Edinburgh, Mrs Janet Brodie, wife of Duncan Cowan, Esq.

— Miss Emily Shirriff, second daughter of the late Lieutenant-Colonel William Shirriff, of the Madras cavalry.

2. At Irvine, Isabella Lang, third daughter of the Rev. Gilbert Lang, of Largs.

— At Cornistoun, Daniel Collyer, Esq.

— At Glasgow, Miss Pagan, of Bogton, aged 81 years.

— At Eaton Hall, the Hon. Gilbert Grosvenor, the infant son of Lord Belgrave.

— At Lochfinehead, Mary M'Naughtan, in the 83d year of her age, and the last in the parish of the ancient family of the M'Naughtans of Dundararnh.

— At Madras, John Fraser Lane, Esq. collector of Masulipatam, in the service of the Honourable the East India Company.

3. At Edinburgh, aged 24, Richard Beckwith Craik, younger of Arbigland, Esq. advocate.

— At the vicarage, Ashby-de-la-Zouch, Euphemia, the wife of the Rev. William M'Douall, and mother of his nine children, the youngest four months old, in the 33d year of her age.

4. At Glasgow, John Machen, Esq. in the 51st year of his age.

— At St Vincent, West Indies, Charles Neil Kennedy, Esq. surgeon, late in Pitlochry, Perthshire.

5. At Macduff, James Lyal, Esq. fish-curer, and long eldest baillie of that burgh.

— At Garden, Archibald Stirling, Esq. of Garden.

5. At Bath, aged 51, Hugh Campbell, Esq. of Mayfield, in the county of Ayr, late captain in the 85th regiment.

— At Easter Balado, Mrs Antonia Hardie, wife of James Beveridge, Esq. of Easter Balado, in the 72d year of her age.

— At Fordel, in Fife, John Smith, aged 97. He had been in the service of the Fordel family, as cook, for seventy years, and actually filled that situation until three years ago.

6. At London, the lady of John Loch, Esq.

— At Park, Robert Govane, Esq. of Drumquhassle, aged 53 years.

— At Glasgow, Miss Rebecca Boyd, youngest daughter of the late Thomas Boyd, Esq. of Kilmarnock, Jamaica.

7. At Aberdeen, John Davidson, of Kebbaly, Esq. in his 74th year.

— At Jedburgh, Mrs Haswell, aged 83, spouse of the late Mr Robert Haswell.

— At Luddington House, Surrey, Walter Irvine, Esq. in the 76th year of his age.

— At Leith, Mr John Parker, agent, late of Newcastle-upon-Tyne.

— At Devonport, at the house of J. Forbes, Esq. Captain John Hutcheson, 82d regiment.

8. At Dumfries, Robert Jackson, Esq. comptroller of the customs at that port, and late proprietor and editor of the Dumfries Journal, in the 52d year of his age.

9. At Brechin, Mrs Smith, aged 74, relict of the late Mr William Smith, West Drums.

— At Leith Walk, Mrs Esther Annetonies, relict of the late Mr William Ker, goldsmith, Edinburgh.

— At Saltcoats, Mr William Wilson, stationer, in the 78th year of his age.

10. At London, the Right Hon. Lady Caroline Pennant.

— At Greenock, Mr Patrick Mories, merchant.

— At Rothney, William Gordon, Esq. of Rothney, W.S.

— While employed in surveying the river Gambia, Mr Bowdich, the African traveller.

— At Glenlee, in Galloway, in the 82d year of her age, Mrs Jean Proudfoot,

widow of the late Mr James Hope, Glen-  
leg.

11. Captain William Niven, late surveyor of the customs at Greenock. By fame he was reputed the son of that facetious and well-known character described in Roderick Random, under the title of Strap.

— At Burnham House, county of Kerry, Ireland, the Right Hon. Lord Ventry.

— At Dalruizian, Thomas Rattray, Esq. aged 82.

— At Edinburgh, Alexander Charles, youngest son of Robert Kerr, of Chatto, Esq.

12. At the Manse of Mid-Caldor, Mary Ann E. Donaldson, youngest daughter of the deceased Charles Donaldson, Esq. late of Calcutta.

— At London, of an apoplectic fit, Joseph Marryatt, Esq. M. P. for Sand-  
wich, and chairman to the committee of Lloyd's.

— Mr William Auld, goldsmith, treasurer to the Trades' Maiden Hospital, Edinburgh.

— At 41, North Hanover Street, Edinburgh, Miss Katharine Fleming.

— At Kettystield, Roxburghshire, in the 90th year of his age, Mr David Minto, for about half a century farmer of Linglie, near Selkirk.

— At Madras, James Weddell, Esq.

13. At Newbails, near Edinburgh, Lady Home, relict of Vice-Admiral Sir George Home of Blackadder, Bart.

— At Kinsale, the Hon. Governor De Courcy, brother to the late Lord Kinsale.

— At Larigs, Captain Patriek Carnegie, R. N. who fought under Rodney on the memorable 12th of April, 1782. He was buried with military honours at Port-Glasgow, on the 17th current, under the direction of Captain Rochfort, of his Majesty's sloop of war Nimrod.

14. At Glasgow, Jasper Tough, Esq. of Hillhead.

— At Pittenweem, Major John Duddingstone, late of the 1st battalion Royal Scots.

— In London, John Ross, Esq. Lieutenant-Colonel, late of the 28th regiment.

15. At his house, Shandwick Place, Edinburgh, General Francis Dundas, after a long and painful illness, which he supported with the patience of a Christian and the firmness of a soldier. General Dundas was colonel of the 71st regiment of light infantry, and Governor of Dumbarton Castle.

— At Colchester, John Thomson, Esq. Deputy Commissary-general to the Forces, and late Private Secretary to the Most Noble the Governor-General of India.

— At Leith, Mr John Durie, merchant.

— At Edinburgh, Mrs Davie, of Brotherton, aged 82.

16. At Stockholm, Field-Marshal Count Wrede. It was he that entered upon the first negotiations for the choice of the actual King, by the title of Prince Royal of Sweden.

— At Craggan, near Grantown, Grace, wife of Captain Grant, of Ballintomb, in the 68th year of her age.

17. At Malta, of apoplexy, Sir Thomas Maitland, G.C.B. and G.C.H. Colonel of the 10th regiment of foot, Governor of Malta, Commander of the Forces in the Mediterranean, and Lord High Commissioner of the Ionian Islands.

— At Brodie House, James Brodie, Esq. of Brodie.

— In London, Bamber Gascoyne, Esq. aged 68, many years a representative in Parliament for Liverpool.

18. At Ramsgate, Captain Bowles Mitchell, R. N. in the 47th year of his age. He was the last surviving officer of those who accompanied Captain Cook on his second voyage round the world.

— At Edinburgh, Millicent Scott, relict of the late Rev. Robert Hutchison, Dalkeith.

— At Stromness, Orkney, in the 72d year of her age, May Munro, lady of Hector Munro, Esq. there.

19. At Batavia, Henry Band, son of the late Mr Henry Band, merchant in Leith.

20. At Balronald, Miss Janet Macdonald, eldest daughter of the late D. Macdonald, Esq. of Balronald.

— At Collan, in the county of Louth, the seat of the venerable Lord Orriel, aged 87, the Hon. Margaret Viscountess Fer-



rard, Baroness of Oriel, the lady of that nobleman.

20. At Edinburgh, James Bisset, Esq. Rear Admiral of the Red.

— At Richmond, James Earl Cornwallis, Bishop of Lichfield and Coventry, and Dean of Durham, in the 81st year of his age. He is succeeded in his title and estates by his only son, James Mann, Viscount Broome, now Earl Cornwallis.

21. At Kelso, Mr Andrew Telfer, bookseller, aged 65 years.

22. In Edinburgh, Henry D. Grant, Esq. second son of the late Francis Grant, of Kilgraston, Esq.

— Mrs Aitken, wife of Dr John Aitken, surgeon, Edinburgh.

23. At Boulogne, Sir Brooke Boothby, Bart. F.L.S. of Ashbourn Hall, in the county of Derby, in his 80th year.

24. At Edinburgh, Thomas Howey, Esq. Akeld, Northumberland.

— At Aberdeen, Mrs Margaret M'Kilgigan, wife of Alexander Webster, Esq. advocate.

— At Whiteleys, Dundee, Mr David Jobson, late cashier of the Dundee Banking Company.

— At Ashford, Staines, Middlesex, John Rae, Esq. late merchant in London. Mr Rae was a native of Dumfriesshire, and was the founder of the eminent house of Reid, Irving, and Co.

25. At Northop, Isle of Man, John Bennet, Esq. of Northop, formerly of Glasgow.

— At Convialloch, Robert Dick, Esq. at the advanced age of 93.

— At his house, Gateside, Laurence Bonnar, Esq. of Ballingry, Fifeshire.

26. At Orbst, in the Isle of Sky, Mrs Campbell, of Ensay.

— At Stranracr, James Bowie, Esq. Deputy Commissary General.

27. At Castle Howard, Yorkshire, the Right Honourable Margaret Caroline, Countess of Carlisle, in the 71st year of her age.

28. At Alloa, Mr Andrew Haig.

29. At Eastloch, in the 65th year of his age, Mr John Purdie, farmer.

— At Florence, the widow of the late Pretender, aged 72.

30. At Cupar Angus, the Rev. Alexander Allan, aged 71. He was 43 years

minister of the First United Association Congregation in that place.

30. At Colinsburgh, Alexander Couper, Esq. aged 82.

31. At Aberdeen, in the 66th year of his age, Mr John Gill, well known for many years as one of the principal and best shipbuilders in that place.

— At Stellenbosch, Cape of Good Hope, Mary-Ann Urquhart, wife of John Murray, Esq. surgeon to the forces.

Lately. At Bengalore, Lieutenant Patrick Ritchie, of the Hon. East India Company's Military Service, second son of Alexander Ritchie, Esq. town-clerk of Brechin.

FEBRUARY 1. At Cheltenham, in the 78th year of his age, the Rev. Sir Henry Bate Dudley, Bart. who, for half a century, has been distinguished in the literary and political world.

— At Dublin, Sir Frederick Flood, Bart. Custos Rotulorum, and lately M.P. for the county of Wexford.

2. At Jedburgh, Mrs Jean Rutherford, widow of the late Thomas Scott, Esq.

— At Edinburgh, Mr John Nicholson—a youth of great attainments and high promise. During an attendance of six years at the High School, and two sessions at the University, he distinguished himself in every branch of knowledge to which his mind was applied. His acquaintance with ancient geography was singularly minute and accurate; and his beautiful delineations of the classical countries still remain to guide his fellow-students and their successors in the same pursuit. The excellent endowments of his understanding being united with the virtues that most adorn youth—docility, modesty, sweetness of temper, and kindness of heart—he conciliated the respect and affection of all that knew him; while the slenderness and delicacy of his frame, indicating too plainly that he was not long for this world, deepened the impression of his estimable qualities, and excited a melancholy interest, which will not permit him to be speedily forgotten, either by the directors or the companions of his studies.

— At Kelligray, in Harris, Mrs Margaret Macleod, relict of Donald Macleod, Esq. of Bernera, aged 77.

3. At London, the Right Hon. the Countess of Harrington.

— Mr Alexander Armstrong, builder, Leopold Place, Edinburgh.

4. At Star Bank, Anstruther, youngest son of Robert Pattullo, Esq.

— At London, Sir John Simeon, one of the Masters of the Court of Chancery.

— At Bisham Abbey, General Vansittart, eldest son of George Vansittart, Esq.

5. At Balharrie, parish of Alyth, Margaret Cameron, aged 100 years and five months. She retained all her faculties, and could walk without assistance till lately. She had been three times married, but had lived a widowed life for nearly 50 years.

— At Leith Hall, Mrs Hay, of Rannes.

— At Alverthorpe Hall, near Wakefield, John Jackson, Esq. aged 54.

6. At Thavies Inn, London, Horatius, second son of Alexander Fraser, Esq.

— At Sunbury, near Edinburgh, James Haig, jun. Esq.

— At Lauder, in the 73d year of his age, and 44th of his ministry, the Rev. Robert Colville, pastor to the first United Associate Congregation in that place.

7. At the Manse of Alloa, Mrs Jean Bald, spouse of the Rev. James Maxton.

— At Edinburgh, Mrs Agnes Williamson, spouse of Mr William Scott, of the Bill Chamber, aged 60.

— At Turnault, Argyllshire, Lieutenant Archibald Campbell, 59th regiment.

\*8. At the Manse of Rosskeen, Ross-shire, the Rev. John Ross.

— At Wells, Mrs Fiddes, wife of Mr Fiddes, aged 75.

— The Rev. Peter Macnee, minister of the Scotch Church, Barington, Northumberland.

10. At Edinburgh, Kenneth M'Kenzie, Esq. apothecary.

— At Edinburgh, Mrs Isabella Mitchell, wife of Mr Robert Purdie, musician.

— At Edinburgh, Mrs John Forman, senior.

At Edinburgh, Andrew Bennet, Esq.

— At Edinburgh, Lieutenant-Colonel Robertson, late of the 21st regiment, or Scotch Fusiliers.

— The Rev. Hugh M'Allister, Pres-

byterian minister of Loughbrickland, Ireland.

11. At Greenock, the well-known Alexander Cuthill, aged 78. He was born in the parish of Denny, Stirlingshire, on the day the battle was fought, which took place at Falkirk, within a few miles of his birth-place, between the forces of the Pretender and the troops of General Hawley. He was bred a cabinet-maker in Glasgow, and for some time afterwards followed that business on board an East-Indianman, in which service he amassed several hundred pounds. The whole of this money, however, he spent in London with some actors, and afterwards took to that profession himself, and soon attained to considerable eminence in it. He was for many years manager of nearly the whole of the provincial theatres in the north of England, and was the means of bringing into notice several persons who have since distinguished themselves, among whom was the late Mr Cooke. He was very unfortunate in some of his speculations, and lost a considerable sum of money by building a theatre at Newcastle. For the last two years of his life he has lived in Greenock under the care of some of his relations. The day previous to his death he was in his usual state of health, and conversed with the utmost calmness and recollection with a gentleman from Glasgow who visited him. He possessed wonderful powers of memory, and could repeat the whole of the Scriptures, with the exception of a few chapters, and all the metre Psalms.

— At Glenmuick, at the very advanced age of 110 years, Peter Grant, alias Dubrack, long distinguished by the appellation of the Culloden Hero, having fought in that memorable and decisive action. His funeral was attended by upwards of 300 people, who came from all quarters of the surrounding country, to the extent of many miles, to pay their last tribute of respect to the departed hero. In the true Highland style, three pipers were stationed at the head of the coffin, playing the favourite tune of the period of Culloden, "Wha wadna fight for Charlie's right," while the company present were not unmindful of their wonted portion of mountain dew, finishing upwards of an anker

of whisky before proceeding to the place of interment.

11. Near Sumbulpore, in the prime of life, Lieutenant Adam Davidson, of the 11th regiment Bengal native infantry, youngest son of the late Robert Davidson, Esq. of Pinnaclehill.

12. At Stonehaven, in the 28th year of his age, Mr George Main, late of the mercantile house of Messrs Isaac Low and Co. Liverpool.

— At Edinburgh, Duncan Robertson, Esq. of Carron Vale, and of Friendship, Saint Elizabeth, Jamaica.

— At Cassingray, in the parish of Carnbee, Ann Brown, at the advanced age of eighty-three. She was born at Cassingray, and resided there during the whole of her life. Fifty years ago she had three children, a son and two daughters, at one birth, who are still alive, and have all families. She worked as a reaper for sixty-three successive harvests at Cassingray.

13. At Senwick-House, Lady Gordon, spouse of Sir John Gordon, Bart. of Earlston.

— At Edinburgh, Captain Nisbet Glen, R. N.

14. At Freeland, Erskine, Mrs Penelope Lesslie Johnstone, spouse of Major Walker, late 42d foot.

— At Argyle Park, Miss Ann Campbell, eldest daughter of the late Mr Alexander Campbell, of Inverary.

— At her house at Berrywell, near Dunse, Mrs Margaret M'Queen, relict of the late Alexander Murray, of Gordonbank, Esq. in the 77th year of her age.

— At Portpatrick, Mrs Susan M'Culloch, spouse to Mr John Lewthwaite, comptroller of the customs.

15. At Auldbar, Patrick Chalmers, Esq. of Auldbar, in the eighty-seventh year of his age.

— At the Manse of Kilwinning, suddenly, the Rev. James Stephen, minister of Kilwinning.

— At Bellavay, East Indies, of cholera, Captain James Weir, 7th Madras light infantry.

17. At Dumfries, Captain William M'Guffog, aged 74. Captain M'Guffog was a thorough-bred seaman, and spent nearly 60 years of his long life at sea.

18. At Clune, Captain Andrew Macpherson, aged 84.

— At Craigforth-House, Colonel Geo. Callander of Craigforth.

19. At Edinburgh, Robert Scott, Esq.

— At Carron Vale, Robert, second son of the late Duncan Robertson, Esq. of Carron Vale.

— At Grove Place, Edinburgh, Mrs Catharine Eddington, aged 75.

— At Maxwelltown, Lieutenant Anthony Jaques, R. N.

— At London, in the 73d year of his age, Sir John Orde, Bart. Admiral of the Red.

— At Kaira, Bombay, Robert Tod, M. D. surgeon 4th light dragoons.

21. At Edinburgh, Mr John Ramsay, solicitor, Supreme Courts.

— At Munich, Eugene Beauharnois, Prince of Eichstadt, formerly Viceroy of Italy under Buonaparte.

— At her house, at Seafield, the Hon. Mrs Campbell, of Lochnell, daughter of the late George, Lord Saltoun.

— At Edinburgh, Captain Edward Hibbert, R. N. third son of George Hibbert, Esq. of Portland Place, London.

22. At Stanhope, Mr Archibald Oliver Davidson, surgeon, aged 26; who, had he lived, would have been an ornament to his profession.

— At his seat, Stokton House, near Saltash, the Hon. Michael De Courcy.

23. At Rhynd, John Wingate, Esq. of Rhynd.

— At Donnington Priory, Berks, Admiral Sir A. Bertie, Bart. K. C. B. aged seventy.

— At Edinburgh, Richard Hotchkis, Esq. of Templehall, W. S.

24. At Ayr, Ebenezer Shaw, Esq. of Drumrash, for many years town treasurer there.

— At Dundee, John Jobson, Esq. of Rosemount, aged 71.

— At Airdrie House, Miss Margaret Aitchison, of Rochsolloch and Airdrie, aged about 85 years, much and justly lamented by all her relations, and those who had the pleasure of her acquaintance. At the same place, on the 27th, Miss Penelope Chrichton Sydserrif, aged about 46 years, who had for 30 years been the friend and companion of Miss Aitchison.

It is a singular and remarkable fact, that Miss S. had, on different occasions, when in health, expressed a desire that she might not live longer than Miss Aitchison.

25. The Rev. John Russel, Kirkintilloch, in the 36th year of his age, and fifth of his ministry.

— At Edinburgh, Major-General William George Dacres, of Devonshire.

26. At Tighchunairt, Fortingall, Peter Macgregor, piper to Francis Garden Campbell, Esq. of Troup and Glenlyon, in the 76th year of his age. He was nearly unequalled as a performer on the great Highland bagpipe, and was the first who gained a prize pipe in Scotland. He afterwards became piper to the Highland Society of London, and had repeatedly the honour of performing before their late Majesties.

— At Edinburgh, in the 72d year of her age, Mrs Margaret Macalister, relict of William Handyside, Esq. of Kirklands.

27. At Bilbow, in the parish of Troqueer, John Barker, Esq. formerly provost of Dumfries.

— William Tod, Esq. of Birkwood, provost of Lanark, in the 79th year of his age.

29. At Edinburgh, suddenly, Mr Hutchison Dunbar, late merchant in Edinburgh.

— At Edgerstone, Roxburghshire, Ann Alice, daughter of the late Patrick Lindsay, of Wormistone, Esq.

— At Adra, in Spain, Harriet, daughter of the late William Kirkpatrick, Esq. of Conheath.

*Lately.* At Berwick, Mrs Forster, widow of the late Ralph Forster, Esq. and sister of William Grieve, Esq. of Ord House, aged 78.

— At Stamford-hill, Mrs Raffles, mother of Sir Stamford Raffles, Lieutenant-Governor of Bencoolen.

— At Edinburgh, Mr William Ranken, late of Calcutta.

— At Cathcart Manse, county of Renfrew, of a short illness, Robert Dow, Esq. A. M. only son of the Rev. David Dow, minister of the Gospel, in the 29th year of his age, and much the object of the affectionate attachment of his parents,

and of a numerous circle of respectable friends and acquaintances.

*Lately.* At Calcutta, Col. John Paton, honorary aid-de-camp to the Governor-General, and late Commissary-General, after a period of forty-one years service in the Hon. East India Company's military service.

MARCH 1. At Maryfield, Strathpeffer, Mrs Elizabeth Stewart, widow of the deceased Lieutenant Stewart, R. N.

— At Dalmellington, Mr Wm. Smith, merchant and postmaster.

— At Newton-upon-Ayr, Captain David Wilson.

— In Clifford Street, London, Lieutenant-General Sir George Wood, K. C. B. of the Hon. East India Company's Bengal army.

2. At Avochie, Mrs Gordon, of Avochie, widow of the late Peter Gordon, Esq. of Avochie, and eldest daughter of John Burnett, Esq. of Ulrick, in her eighty-fourth year.

3. At Edinburgh, Mrs Dun, widow of the Rev. William Dun.

— At London, in the 69th year of his age, Mr Viotti, the celebrated performer on the violin.

— At London, Alexander Hewat, D.D. late of the Scotch Church, Charlestown.

4. At Glasgow, Roderick Gray, M.D.

— At Orange Hill, Tobago, the Hon. Dr James S. Campbell, one of the members of his Majesty's Council there.

5. On board the ship *Alexander*, on his passage home from Jamaica, Mr Andrew Marjoribanks, second son of Alexander Marjoribanks, Esq. of Marjoribanks.

— At his house, Baxter's Place, Edinburgh, John Glead, Esq. solicitor of Excise in Scotland.

— At Dundee, Dr Robert Henderson, aged 74.

— At Edinburgh, Mr James Donaldson, minister of the Berean Congregation, in the 75th year of his age, and 47th of his ministry.

— In London, the Marquis of Titchfield, eldest son of the Duke of Portland.

— At London, Sir Thomas Bell, late a sheriff of that city, and treasurer of the Scottish Hospital.

— At the Manse of Morven, in the

79th year of his age, and 50th of his ministry, the Rev. Norman M'Leod, minister of that parish.

6. At Montreal, Canada, James Henderson, Esq. son of the late Dr Robert Henderson, physician, Dundee.

7. At Edinburgh, Miss Catherine Kennedy, youngest daughter of the Rev. Thomas Kennedy, minister of St Madoes, Perthshire.

— At the Grove, the seat of his lordship, after a long indisposition, Thomas Villiers, Earl of Clarendon, Baron Hyde, and a Count of the kingdom of Prussia. He completed his 70th year in December last. His lordship is succeeded in his titles by his brother, John Charles Villiers, now Earl of Clarendon.

— At Aberdeen, James Moir, aged 101. He was brother-in-law to the veteran M'Dougal, who supported General Wolfe, after he received his mortal wound, on the plains of Quebec. The wife of James Moir was buried on the 31st ultimo, aged 81; and her husband died within an hour after she had been laid in the grave.

— At Edinburgh, William Ramsay, Esq.

9. At Southampton, in the 48th year of his age, of consumption, the Right Hon. Lord Edward O'Brien, brother to the Marquis of Thomond, and son-in-law to the Duke of Beaufort.

— At Edinburgh, the Hon. Barbara Rollo.

— At Paris, the Duke of Cambreres. He made a considerable figure in the Revolution, and was Second Consul with Buonaparte.

— At Drumore, in the parish of Kirkcaldy, in the 105th year of his age, John King, officer of his Majesty's Customs. He was born in Edinburgh, and was three days under arms, when the citizens at Edinburgh armed for the defence of the town in the year 1746. He used to tell as a joke, that he had been three days a soldier, for which he had not yet got his pay.

10. At his seat at Easton Lodge, in Essex, the Right Hon. Charles Viscount Lyndal, in the 73d year of his age.

— At Edinburgh, in the 16th year of her age, Elizabeth Laura Baillie Hamilton, third daughter of the late Rev.

Charles Paillie Hamilton, arch-deacon of Cleveland.

10. At Largs, in the 68th year of his age, Mr James Cook, civil engineer.

11. In Picardy Place, Edinburgh, in the 80th year of her age, Mrs Isobel Craunstoun, relict of the Rev. James Scott, formerly minister of the gospel at Musselburgh.

— At Newabbey, George Nicholson, Esq.

— At Stranraer, David Stewart, Esq. of Duchra, W. S.

— At Bellshiel, near Dunse, Mr Thos. Bertram, at the advanced age of 99.

12. At Dumfries, Mr Robert Paul, writer. His horse fell under him about fourteen days before, and he was so much bruised by the fall, that shortly after he was seized with locked jaw, which terminated his existence.

— At Edinburgh, Mr William Elder, accountant.

— At Edinburgh, James Forman, Esq. W. S.

— At Edinburgh, Helen Lawrie, wife of James Virtue, merchant.

— At Gayfield Square, Edinburgh, after having given birth to a daughter, Mrs L. Franklin.

— At Brechin, in his 63d year, David Guthrie, Esq. late provost of that burgh.

13. At Courthill, Thomas Usher, Esq. — At Clifton, Bristol, Mrs Sophia Lee, author of the historical novel, entitled the "Recess," the comedy of the "Chapter of Accidents," &c.

— Mrs Halliday, relict of the late Rev. Thomas Halliday, minister of Kelton.

14. At Edinburgh, Miss Louisa Hope, a daughter of the late Commissioner Charles Hope, of his Majesty's navy.

— At Montreal, suddenly, of asphyxia, the Rev. T. Hill, assistant to the Rev. Mr Easton, in the church of St Peter's Street, in Montreal.

15. At the Manse of Earlston, the Rev. William Shields, aged 71 years. He was 43 years a minister of the Church of Scotland, of which 34 were spent at Westruther, and the remaining nine at Earlston, both in Berwickshire.

— At London, Lieutenant James Reid, R. N. eldest son of Sir John Reid, Bart.

19. At No. 5, Buccleuch Place, Mr William Howden, jeweller in Edinburgh.

20. John Aitken, Esq. of Hill of Beath.  
 — At Cromarty, William Swan, Esq.  
 aged 86 years.

— The Rev. Robert Smith, minister of Cromarty.

— At Auchry, Mrs Cumine, wife of Archibald Cumine, of Auchry, Esq.

21. At Streatham Park, in the 55th year of his age, Thomas Harrison, Esq. F.R.S. Honorary Secretary to the Royal Institution and African Association, Commissary to the University of Cambridge, formerly a Fellow of Queen's College, and Chairman of the Adjourned Quarter Sessions for the county of Surrey.

— At Paris, Walter, only son of the Earl of Airly.

— At View Park, Burntsfield Links, Archibald, youngest son of Mr Inglis, banker, Edinburgh.

— At Edinburgh, Mrs Jean Paton, relict of the Rev. George Paton, LL.D. in her 87th year.

— At Edinburgh, Charles Fotheringham, Esq.

— Off Cape Coast Castle, of fever, Mr Charles Hope Hunter, midshipman, of his Majesty's ship Driver, second son of the late Rev. William Hunter, minister of Middlebie, aged 20 years.

22. At Laurieston, Edinburgh, Andrew Livingston, Esq. of Grobdale.

— At his house, Lansdowne Place, East Bath, Lieutenant-Colonel Hill, royal marines, aged upwards of 90 years, one of the oldest officers in his Majesty's service, having served in the reign of King George the Second.

— At Durham, Michael Balfour, Esq. late surgeon in the 8th royal veteran battalion.

23. At Abercromby Place, Edinburgh, Mrs Mary Thomson, wife of Mr James Leechman, merchant.

— At her house, in Linlithgow, Mrs Watson, widow of James Watson, Esq. of Bridge Castle.

— At Edinburgh, Mrs Dickson, widow of Captain Alexander Dickson, late of the royal artillery.

24. At Hobkirk Manse, Mrs Jean Scott, wife of the Rev. B. Dickieson, minister of Hobkirk.

— Sir G. Chetwynd, Bart. in the 85th year of his age.

25. At the Rolls House, London, the Right Hon. Sir T. Plumer, Master of the Rolls, in the 71st year of his age.

— At No. 6, Dewar Place, Edinburgh, in the 82d year of his age, Lieutenant Alexander M'Kenzie, late of the 9th royal veteran battalion.

— At Islington Pen, St Andrew's, Jamaica, at an advanced age, the Hon. James Stewart Custos, and late one of the representatives in the Hon. House of Assembly for that parish; also a Judge in the Supreme Court of Judicature, and Auditor-General and Surveyor of the parish revenues.

26. At Leith, George B. Vair, Esq. merchant, aged 29 years.

— At Linlithgow, Mr Wm. Younger, brewer, in the 32d year of his age.

— At Craigforth House, Miss Callander.

27. At St Andrews, Wm. Rotheram, Esq.

— At Edinburgh, Miss Elizabeth Campbell, aged 80.

28. At Edinburgh, Mr William Gray, merchant.

29. At Marig, island of Harris, Captain Kenneth Campbell, late paymaster of the Regiment of the Isles.

30. At Rome, Elizabeth, Duchess of Devonshire, widow of the late Duke, and sister to the present Earl of Bristol, in the 65th year of her age.

— At Mavisbank House, Mrs Duncan, of Damside.

— At Dunfermline, Miss Janet Bowes.

31. At his house in the Regent's Park, London, the Right Hon. Lord George Coleraine, in the 73d year of his age. His lordship was better known as the eccentric Colonel Hanger.

— At Edinburgh, Miss Macdonald, daughter of the late Lieutenant-Colonel Macdonald, 84th regiment.

— At London, Lieutenant John Wallace, late of the 13th light dragoons.

APRIL 1. At Edinburgh, Mrs Sarah Hamilton, wife of Mr Alex. Hamilton, surgeon, R. N.

— At Daftmill, Mrs Walker of Daftmill, in the 90th year of her age.

2. At York Place, Edinburgh, Jane Emily, second daughter of Dr Gilles-

2. At Williamfield, Mr D. Macdonald, merchant in Leith.

— At Edinburgh, Miss Elizabeth Dickson, daughter of the late David Dickson of Kilbucho, Esq.

— At Edinburgh, Andrew Fife, Esq. Fellow of the Royal College of Surgeons, Assistant to the late Dr Monro, and Author of the System and Compendium of Anatomy.

— At Quebec, in the 29th year of his age, Robert, son of the late Henry Johnston, Esq. of Meadowbank.

3. At Banff, Lieut.-Colonel James Robinson.

— At Ayr, Hamilton Douglas Boswell, Esq. of Garallan.—Mr Boswell's death was strikingly sudden and unexpected. On the afternoon of Saturday he went out to enjoy his accustomed walk—spent the evening and supped with his family in his usual spirits—retired to bed a little before eleven, apparently in perfect health,—and in less than a quarter of an hour he was a corpse.

— At Picarly Place, Edinburgh, Alex. Learmonth, Esq.

— At Lathrisk, Alexander, third son of William Johnston, Esq. of Lathrisk.

4. At Edinburgh, James Paterson, Esq. of Carpow.

— At his father's house, in the parish of Foveran, near Aberdeen, Mr John Lingerwood, assistant-surgeon to the forces, Ireland.

4. At Edinburgh, Mrs Ferguson Blair, wife of Adam Fergusson of Woodhill, Esq.

— At Linlithgow, Mrs Helen Margaret Ferrier, wife of Thomas Liston, Esq. Sheriff-clerk of Linlithgow-shire, second daughter of the late Major-General Ferrier.

— At Hampstead, Mary, eldest surviving daughter of the late Sir Alexander Macdonald Lockhart of Lee and Carnwath, Bart.

5. At Burnfoot of Menmuir, William Byres, in the 93d year of his age.

— At Muirkirk, Sir Thomas Cunningham, aged 81.

— At Edinburgh, Mrs Ann Knight, widow of Mr Gilbert Mair, jun. writer, Edinburgh.

6. At his apartments in the British Museum, in his 70th year, the Rev. Tho-

mas Maurice, author of "Indian Antiquities," the "Ancient and Modern History of Hindostan," and many other celebrated productions. He was the intimate friend and contemporary of Sir W. Jones, and was patronized by Dr Johnson.

6. At Edinburgh, Samuel Douglas, of Netherlaw, Esq.

— At Dumbarton Castle, Major General Islay Ferrier, Lieut.-Governor of that garrison, in the 78th year of his age.

— At Burntisland, Mary Jane, only daughter of John Aytoun, Esq. of Inchdairney.

7. Michael Kidston, third son of the Rev. William Kidston, Glasgow.

9. At Winchester, Andrew Crawford, sen. M. D.

— At Calcutta, Mr Hall Jop, and on the 27th of same month, at same place, Mr William Sibbald Jop, both sons of the late Mr Robert Jop, merchant, Leith.

10. At Edinburgh, Mrs Corbett of Kenmuir, Lanarkshire.

— At Duddingstone House, the Right Hon. Lady Caroline Ann Macdonald of Clanronald, in consequence of a cold caught some days after the birth of her sixth child.

11. At Edinburgh, Mary Ann Leslie Lindesay, daughter of the late Patrick Lindesay, Esq. of Wormistone.

— At Stockbridge, Edinburgh, Mrs Ann Balfour, relict of William Thomas Wishart, Esq. of Foxhall.

12. At Wilton Cottage, Somerset, Lady Elizabeth Farrington, in the 75th year of her age, relict of General Sir Anthony Farrington, Bart. late of Blackheath, Kent.

— At Rothesay, the Rev. Archibald M'Lea, minister of that parish, in the 87th year of his age, and 62d of his ministry.

13. At Netherby, Cumberland, Sir James Grant, Bart. aged 62.

— At Dalkeith, Mrs Cumming, wife of Dr Cumming.

14. At Edinburgh, David Davidson, eldest son of the late Sir David Davidson of Cantray.

— At Glasgow, Captain Robert Gil-mour.

14. At Cottartown of Logiealmond, Elspeth Robertson, in the 100th year of her age. This venerable matron retained her health and faculties to the last. She had all the predilections of the olden time for the days of the Rebellion; and, until within a few days of her death, she would trip through the mazy dance with any maiden in the district, when John Dow's fiddle played up "The auld St.arts back again." She was rather eccentric in her dress,—always preferring the fashion of the days of Queen Anne. She has left a goodly host of children, grandchildren, and great-grandchildren.

— At the manse of Kildonan, the Rev. Alexander Sage, minister of that parish, in the 72d year of his age, and 37th of his ministry.

15. Sutherland Meek, M.D. late Member of the Medical Board at the Presidency of Bombay.

16. At Aberdeen, Charles Donaldson, Esq. advocate.

— At Garth, parish of Fortingall, Margaret Macdougall, relict of Alex. Macdougall, farmer at Garth, in the 103d year of her age. When above a hundred, she thought little of walking from her own house to Weem or Aberfeldy, a distance of seven miles, and returning before breakfast. Last year, she travelled to Drummond Castle, which is thirty miles distant, and returned next night. She was the genealogist of the district; and her retentive memory made her the living chronicle of past events. When asked if she remembered the year 1745, her uniform answer was, "Oh, that was only a yesterday's business; the Prince's year, I was a married wife, and the mother of a family."

— At Seringapatam, in the 30th year of his age, after an illness of three days, Lieut. Peter Gordon, 11th regiment N. I. Madras establishment, third son of James Gordon, Esq. of Littlefolla.

— At the manse, Falkirk, after a long illness, Elizabeth, only daughter of the Rev. Dr. Wilson, minister of Falkirk.

— In High Street, Wexford, aged 93, Cornelius Fitzpatrick, Esq. Mr. Fitzpatrick served in the army under George the Second, at the battle of Dettingen, and witnessed, on that memorable occasion, the remarkable step taken by Lord

Stair, in depriving the impetuous Monarch of the command, and placing him under arrest till the day was decided.

17. At Edinburgh, Mary Anne, the youngest daughter of John Elphinstone, Esq. of the Hon. East India Company's service.

— At York Place, Edinburgh, Lieut.-Colonel Gerrard, of Rochsoles, formerly Adjutant-General of the army in Bengal.

18. After a short illness, Edward Jones, Bard to the Prince of Wales. Mr Jones was a native of Merionethshire, in North Wales.

19. At Edinburgh, Mrs Margaret Macdonald, spouse of Robert Scott Moncrieff, Esq.

— At Edinburgh, William Carlyle, Esq. advocate.

— At Bath, Captain Alex. Nisbett, R. N.

20. At Edinburgh, Mrs Henrietta Bowman, wife of Mr William Alexander, Depute-clerk of Teinds.

— At Rio Janeiro, Mr John C. M'Dougall, midshipman on board his Majesty's ship Spartiate, and youngest son of the late Duncan M'Dougall, Esq. Ardintrive.

— At Chichester Palace, at a very advanced age, the Right Rev. Dr John Buckner, Bishop of Chichester.

21. At his Lordship's residence at Bath, Richard, Lord Bishop of Bath and Wells, in the 87th year of his age.

— At Deptford, on board of his Majesty's ship Fury, Lieut. Hume Johnston, R. N. son of Robert Johnston, Esq. of Hutton-Hall.

— At Glasgow, Cecilia Murray Stevenson, wife of Mr Andrew Grant, merchant; and on the 18th current, Cecilia, their infant daughter.

22. At Maybole, James Ferguson, Esq. late of Littleton.

— At London, aged 33, Dunbar Douglas Muter, Esq. merchant, St Lucia, sixth son of the late Rev. Dr Robert Muter, minister of Kirkcudbright, and one of the Deans of the Chapel Royal.

— At Assapale, island of Mull, the Rev. Dugald Campbell, minister of Kilfinichen, in the 78th year of his age, and 52d of his ministry.

23. At her house, Prince's Street, Edinburgh, Miss Keith of Ravelston.



23. At Edinburgh, in the 86th year of her age, Mrs Rachel Thomson, relict of the late Mr John Douglas, hatter.

— At Florence, in the 28th year of his age, William Crosbie, Esq. his Majesty's Secretary of Legation, at the Court of Tuscany.

24. At Stranraer, Hugh M'Kie, Esq. M.D.

— At Rothesay, James Malcolm Noble, Esq.

25. At the New Hammums Hotel, London, Major-General Francis Stewart of Lismurdie, in the county of Banff, in his 60th year.

26. At Newton, in the parish of St Vigean's, Mrs Scott, of Newton, in the 59th year of her age.

27. At the seat of his Grace the Duke of Buccleuch, at Richmond, the Most Noble the Marquis of Lothian.

— At Dechmont, William Wilson, Esq.

28. Thomas Scott, Esq. of the Retreat, Downham, Norfolk.

— At Stamford Hill, near London, Jean, wife of Captain John Gordon, R.A., and youngest daughter of the Rev. Dr Ogilvy of Old Aberdeen.

29. At his house, Lower Belgrave Place, London, George Yeats, Esq. of the Navy Office.

— At Edinburgh, Mrs Henrietta Affleck, relict of Dr Alex. Murray, Professor of Oriental Languages in the University of Edinburgh.

Miss Hope Balfour, daughter of the late George Balfour, Esq. W. S.

— At Jamaica, Mr Peter Grace, son of the late Dr Grace, of Cupar.

30. At Torquay, Devonshire, Miss Euphemia Ballantine, daughter of the late Patrick Ballantine, Esq. of Orchard.

— At Edinburgh, Mr David Sime, clerk to the British Linen Company, aged 71.

— At Gilmour Place, Edinburgh, the Rev. James Simpson, of the Associate Congregation, Presbytery.

*Lastly.* At his house, Clerk Street, Mr John Ross, late painter, Edinburgh, in the 62d year of his age.

— At Bloomfield, near Newport, Mrs Anderson, widow of William Anderson, Esq.

*Lastly.* At the Bay of Balui, Mississippi, Cady Lafontaine, aged 137.

— On his estate in South Russia, the Counsellor of State, Von Kapnist, aged 68, one of the most celebrated Russian poets of the present day.

— At Chelsea, Robert Hall, M.D. late Surgeon to the Forces, a descendant of the ancient Border family of the Halls of Newbiggen, and great-grandson of Heary Hall of Haughhead, the celebrated Covenanter, who fought at Bothwell Bridge, Drumclog, &c.

— At Pwllcornel, near Bronwydd, Carmarthenshire, at the advanced age of 106 years, William Matthias. He retained his faculties to the last.

— At Rome, his Eminence Cardinal Gonsalvi. This great minister, who had governed Rome for nearly 23 years, and to whom Pius VII. was warmly attached, fell a victim to his long and dreadful sufferings, which he bore with admirable fortitude and true Christian patience and piety.

— In his 80th year, the Rev. Dr Ford, late Ordinary in Newgate.

— In the 73d year of his age, the Rev. Richard Thomas Gough, uncle of Lord Calthorpe.

— At her son's house, 11, Society, Mrs James Brewster, aged 74.

— At her house at Chelsea, the Lady Caroline Anne Brudenell Bruce, eldest sister of the Marquis of Aylesbury.

— At London, Luke White, Esq. M.P. for the county of Leitrim.

*MAY 15.* At his residence in Argyleshire, John Macalister, Esq. of Cour, in the 82d year of his age. The memory of this gentleman will be long cherished, and associated with the fondest recollections, by the rich as well as the poor of the neighbourhood where he so long lived universally honoured and respected.

2. At Dundee, Mr James Stewart, surgeon, aged 81.

— Mrs Agnes Hunter, spouse of Mr William Marshall, jeweller in Edinburgh.

— At Edinburgh, Mrs Mary Buchanan, daughter of the late John Buchanan of Arnprior, Esq.

— Mr Thomas Thomson, overseer, Plantation Plaisance, east coast Demera-

rr, son of the late Mr Alexander Thom-  
son, tobacconist, Edinburgh.

57. At London, the widow of the Right  
Hon. William Windham.

6. At sea, Colin Bruce, Esq. on his  
passage from Jamaica, aged 29.

— At Foveran House, Aberdeen-shire,  
John Robertson, Esq. of Foveran.

9. At Kingston, Jamaica; Dr Colin  
Campbell, formerly of Greenock.

15. At Norham, Lieutenant Cornelius  
Murray, of the 101st regiment, son of  
the late Daniel Murray, Esq. of Over-  
dudrie and Christianbank, aged 33.

17. At the Fort of Roenghur, aged  
33, in the Protected Hill Territory, Su-  
bathoo, whither he had retired on the  
invalid establishment, Captain William  
Walker, of the native infantry, eldest  
son of the late Rev. William Walker, of  
St Cyrus, near Montrose.

18. At Islington, in his 31st year, the  
Rev. George Strahan, D.D. Prebendary  
of Rochester, Rector of Kingsdown, Kent,  
and Vicar of Islington. Dr S. was the  
second of the three sons of the late emi-  
nent printer, William Strahan, Esq. M.P.  
and elder brother to Andrew Strahan,  
Esq. the present printer to the King, and  
many years M.P.

• 19. At Bervie, Dr Robert Napier.

• 20. At Assam, of the cholera morbus,  
while in command of the troops belong-  
ing to the East India Company sent to  
that country, Colonel George M'Morine.

21. At Litchfield, Connecticut, Mr  
John Cotton, aged 108 years, a revolu-  
tionary pensioner. Mr Cotton served  
seven years in the old French war, and  
seven years in the revolutionary war.

22. On board the ship Charlotte, off  
the Cape of Good Hope, Mr William  
Campbell Farquharson, second son of the  
late Dr William Farquharson, physician  
in Edinburgh.

At Leith, Mr Alex. Paterson, iron-  
monger, (late of Stirling.)

John Parry, Esq. Vice Warden of  
the Stanaries for Devonshire, and for-  
merly proprietor of the London Courier.

Mrs Elizabeth Sinclair, relict of  
the late John Mackenzie, Esq. of Jamai-  
ca, and sister of the late Sir Alex. Sin-  
clair of Dunblath, Bart.

At Dysart, Mrs Grace Reddie, re-  
lict of Lieut. James Black, R.N.

23. At Alloa, Captain Robert Hender-  
son.

25. At Kandy, of a fever caught on an  
official tour in the Seven Korles, the Hon.  
Sir John D'Oly, Bart. a member of his  
Majesty's Council in Ceylon, a Resident,  
and First Commissioner of Government,  
in the Kandyan Provinces.

— At Ayr, Mrs Crawford, senior, of  
Ardmillan.

26. At Edinburgh, Mrs Janet Hutton,  
eldest daughter of the late John Hutton,  
Esq. merchant in Edinburgh.

— In East Recce, Taunton, Mr John  
Taylor, in the 109th year of his age. He  
was a butcher, and regularly attended the  
markets of Taunton, Wellington, and  
Wyviliscombe, upwards of sixty years.  
He has left two sons, the eldest of whom  
is 87, and the youngest 64.

— At Montcallier, near Turin, Capel  
Lofft, Esq.

27. In Lower Brook Street, London,  
Mrs Rattray, widow of the late Colonel  
John Rattray, of Craighall, Perthshire.

28. At his seat, Hawkstone, Salop,  
Sir John Hill, Bart., in the 84th year of  
his age.

— At Banff, Mrs Gordon, widow of  
the Rev. Abercromby Gordon, minister  
of Banff.

— At London, John Locke, M.D. late  
of Glasgow.

29. At the Lairg Cottage, near Tain,  
Lieut. J. P. Gordon, half-pay 71st regi-  
ment.

— At his house in Forth Street, Edin-  
burgh, David Kinnear, Esq. banker.

— At Hastings, in Sussex, Robert  
Alexander Paterson Wallace, Esq. only  
son of the deceased Major Robert Wal-  
lace, of the 17th foot, and grandson of  
the late Alex. Wallace, Esq. banker in  
Edinburgh.

30. At Square Point of Crossmichael,  
William Rae, Esq. late of Dunjarg, aged  
85 years.

— At Coats House, Major-General  
Nicholas Carnegie, of the Hon. East In-  
dia Company's Bengal establishment.

31. At Bath, the Lady of Sir George  
Abercromby Robinson, Bart.

— At Bilbow, parish of Troqueer,  
Miss Eleanor Liddersdale, daughter of the  
late Robertson Liddersdale, Esq. of Gas-  
tlemilk.

31. At Star Bank, Fife, Mr Thomas Erskine Pattullo, aged 19, third son of Robert Pattullo, Esq.

— At Buenos Ayres, Captain Peter Sheriff, of the *Antelope*, second son of the late Mr Thomas Sheriff, shipmaster, Dunbar.

*Lately.* At his house, in Soho Square, London, Richard Payne Knight, Esq. (who had long been distinguished in the literary circles of Europe,) suddenly, of an apoplectic affection. He had the reputation of being one of the most eminent Greek scholars of his day, and was deeply conversant in all matters of literary antiquity.

— At Clifton, suddenly, Lieut.-Colonel Samuel Hall, C.B., of his Majesty's 65th regiment.

JUNE 1. At his house in Queen Street, Edinburgh, Alexander Wyllie, doctor of medicine.

— At Madras, Mrs Isabella Allan, wife of P. Cleghorn, Esq. barrister at law, and Registrar of the Supreme Court of Madras.

2. At Edinburgh, Samuel Watson, Esq. solicitor at law.

— At Fintry, Stirlingshire, Janet Waters, aged 100. She had 13 children, 53 grand children, and 40 great-grand-children—total, 106. Eight of her children died in infancy; of course, only five of her children have any offspring.

3. At Fyvie, the Hon. Mrs Gordon, relict of the late General the Hon. William Gordon of Fyvie, in the 81st year of her age.

— At Edinburgh, Daniel Ramsay, of Falla, aged 64 years.

4. At Edinburgh, Mrs Abercrombie, widow of the late Rev. George Abercrombie, one of the ministers of Aberdeen.

— At the Cape of Good Hope, where he had gone for the recovery of his health, Captain Thomas Mackenzie, only son of the late Donald Mackenzie, Esq. of Hartfield.

5. At Lauder, Alex. Dawson, Esq. surgeon, Chief Magistrate of the burgh of Lauder.

— At Bognor, Cathcart, Miss Pagan, of Bognor, aged 66 years.

— In Mortimer Street, Cavendish Square, London, Lieut.-General Simon Farley, aged 78.

6. At Kirkcoppel manse, in the 48th year of her age, Mrs Elizabeth McLean, wife of the Rev. James Richardson, minister of that parish.

— At Edinburgh, Mrs Jean Johnston, wife of William Johnston, Esq. of Lathrisk, and only surviving daughter of Mr S. Douglas.

— At Rangoon, East Indies, Lieutenant Alex. Trotter Lindsay, of the 22d native infantry, youngest son of the late Major Martin Eccles Lindsay.

7. At Kandy, Island of Ceylon, Mr Peter Maury, of the army medical staff, second son of Mr A. Maury, 138, George Street, Edinburgh.

— At his house in York Place, Edinburgh, John Blackwell, Esq. advocate.

8. At Malvern, Lieut.-Colonel Houstoun.

9. In South Audley Street, London, Thomas Chevalier, Esq. surgeon extraordinary to the King, and Professor of Anatomy and Surgery to the Royal College of Surgeons in London.

At Kirkwall, in Orkney, the Rev. Robert Yule, minister of the Gospel there.

— At Quebec, Ensign J. D. Cogan, of the 68th regiment.

18. At Rankellour House, Mrs Mary Maitland, widow of the late Charles Maitland, Esq. younger, of Rankellour.

11. At Edinburgh, Thomas Ferguson, Esq. of Baledmund, in the 23d year of his age.

— At Stirling, the Rev. Archibald Bruce, one of the ministers of that parish.

12. At the Countess's Bush, county of Kilkenny, Mary Costello, aged 102 years. Her mother, Matilda Pickman, died precisely at the same age. Her grandmother died at the age of 120. Her great-grandmother's age is not exactly known, but it exceeded 125 years, and long before her death she had to be rocked in a cradle like an infant. Mary Costello's brother lived beyond a hundred years; at the age of 90 he worked regularly, and could cut down half an acre of heavy grass in one day.

— At Calcutta, Sir John Macdonald, K.C.B. a Lieut.-General in the Hon. Company's service, aged 76. His remains were interred on the 18th in the evening, between five and six o'clock, attended by his

Excellency the Commander-in-Chief, all the General Staff, and a large body of civilians, who assembled to pay the last tribute of respect to one of the oldest officers of the Hon. Company's service in India.

13. At Dumfries, Mr James Gibson, merchant.

— At Edinburgh, in the 50th year of his age, Mr James Souter, slater to his Majesty.

— At his house, Blythwood Place, Glasgow, William Monteith, Esq.

14. At Waukmills of Letham, Mr Patrick Stirling, aged 82 years.

— At Thurso, Mrs Pringle, wife of Mr Robert Pringle, collector of Excise.

15. At Stirling, Mrs Gleig, wife of the Right Rev. Bishop Gleig.

16. In Dublin, Walter Thom, Esq. of Aberdeen, formerly editor of the Correspondent, and for the last few years, joint proprietor and editor of the Dublin Journal.

— At Weymouth, in his 30th year, George Melis, Esq. of Perthshire, having arrived in England from Calcutta, in the Kingston, only twelve days before.

— At 2, Arniston Place, Major Colin Campbell, of Strachur.

17. At his residence in Lower Grosvenor Street, London, the Right Hon. Lord Henry Thomas Howard Molyneux Howard, Deputy Earl Marshal of England, and brother to his Grace the Duke of Norfolk. His Lordship was a Protestant. He represented the city of Gloucester in several Parliaments, and sat in the present Parliament for Steyning.

— At Pau, capital of the Basse Pyrénées, Major Stuart Maxwell, of the Royal Artillery. This gallant officer died in the prime of life, his constitution having been early worn out in the service of his country. His remains repose not far distant from one of the brilliant achievements of the British army, at which he had the honour to assist—the battle of Orthes. He served several campaigns in the Peninsular war; commanded a Brigade of Artillery at the battle of Vittoria; was a Companion of the Most Honourable Military Order of the Bath; and known to the literary world as the author of a Poem, entitled "The Battle of the Bridge."

19. At her residence, No. 13, Seymour

Place, Little Chelsea, Donna Maria Theresa del Riego y Riego, widow of General Don Rafael del Riego y Riego.

19. At his house, Grange Toll, near Edinburgh, Mr Robert Wight, late farmer, West Byres, Ormiston, in the 78th year of his age.

— At Moffat, very suddenly, Alex. Moffat, Esq. of Loch Urr, aged 68 years.

19. At Madeira, in consequence of a fall from his horse, Ensign Robert Hamilton Fotheringham, of the Bengal infantry, aged 19, only son of the late Major J. Fotheringham, of the Madras engineers.

20. At Devonport, W. Cumming, Esq. Rear-Admiral of the Blue, and Companion of the Most Honourable Military Order of the Bath.

— At Bath, the Hon. Alexina Duncan, eldest daughter of Viscount Duncan.

— At Portfield, Mr William Edgar, merchant in Glasgow.

21. At Jamaica, after a few days' illness, Alex. Cunningham, Esq. son of the late William Cunningham, of Cairneuran, Esq.

— At Scotstown, Alex. Moir, of Scotstown, Esq.

22. At Frome, Mary White, aged 105 years.

23. At Warriston House, Miss Mary Brown, eldest daughter of the late Capt. Robert Brown, Leith.

24. At Bangalore, Capt. Henry Thomas Rudyerd, son of Lieut.-General Rudyerd, royal engineers, a distinguished and highly-esteemed officer of the Madras artillery, whose loss will be universally regretted by the Madras army.

25. At Currie, Mr Thomas Hamilton, senior, late builder in Edinburgh.

26. At Ruchill, Miss Dreghorn, daughter of the late Robert Dreghorn, of Blochairn.

— At Stranraer, Provost Kerr, of Stranraer.

— At Heatherwick House, East Lothian, George, eldest son of Capt. W. H. Hardyman, Hon. East India Company's naval service.

— At Girvan, Mr Andrew Kirk, aged 74. He was 51 years parochial schoolmaster in the parish.

— At Salem, near Madras, Robert John Hunter, Esq. son of the late Sir John Hunter, Consul General in Spain;

and at the same place, on the 3d July, Mrs Hunter.

26. At Poonah, Lieut. R. S. Gibson (second son of Mr George Gibson, merchant in Leith,) of the 6th regiment Bombay native infantry.

27. At Thornton House, Anna, eldest daughter of Colonel Cunningham.

— At Haddington, Mr William Shiells, late brewer there, in the 67th year of his age.

— At Milton Cottage, Captain George Macpherson, R. N.

— At George Town, in the district of Columbia, North America, Thomas Wilson, Esq. of Dullatur, advocate.

28. At Prestonpans, Ann Comb, daughter of the late James Comb, Esq.

— In James's Square, Edinburgh, Mrs Mary Hardy, relict of Mr James Gilchrist, navy agent, London.

29. At Frenich, parish of Aberfoyle, Alex. Graham, Esq. of Stronemacnair, aged 101 years.

— At Bandirran, aged seven years, William, only son of J. M. Nairn, Esq. of Dunsinane.

— At Burghhead, the Rev. Lewis Gordon, D.D. one of the ministers of Elgin, in the 76th year of his age, and the 55th of his ministry.

30. At Burnside of Dalbeattie, David Copland, Esq. late of Gregory.

— At Burrowmuirhead, Mrs Janet Spottiswood, spouse of Mr John Robertson of Lawhead.

— At Paddington, William Ellice, Esq. in the 41st year of his age.

— At Trichinopoly, John Malcolm, Esq. Assistant-surgeon in the Hon. East India Company's service.

*Lately.* At Paris, General John Murray, aged 86. He had served his Majesty 60 years in different parts of the world, and was twelve years a prisoner in France under Napoleon's Government. His eldest son, Major-General Murray, was late Governor of Demerara.

— At Vienna, the Austrian Finance Minister, Count Von Stadion.

— In Rutland Street, Cheltenham, S. Pool, at the extraordinary age of 115 years.

— At Shalden Lodge, Hants, aged 45, Lieut.-Colonel Arthur Johnstone, late Assistant-Commandant at the Royal Military College, Farnham.

JULY 1. At Kielburn, parish of Laurencekirk, after ten years' confinement by rheumatism, which she bore with exemplary fortitude and resignation, Elizabeth, wife of Lieut. Scott, half-pay 62d regiment.

— In Duke Street, St James's London, Major-General Lachlan Macquarie, late Governor of New South Wales, in the 63d year of his age.

2. Mrs Grizel Smart, relict of Mr William Cunningham, Haddington.

3. At her house in Berkeley Square, London, the Dowager Countess of Albemarle, in the 82d year of her age.

— At Clifton, at the advanced age of 93 years, William Compton, Esq., LL.D. Chancellor of the diocese of Ely.

4. In Cavendish Square, London, after a sudden relapse of illness, the Countess of Brownlow.

— At Glasgow, Adam Graham, Esq. of Craigallian.

— At Edinburgh, Mr Charles Moodie, of the Auditor's Office, Exchequer.

— At Demerara, John Macintyre, Esq. late merchant in Liverpool.

5. At Abbey St Bathans, Mr Andrew Wallace, teacher of mathematics in Edinburgh.

— At the manse of Liff, William Scott, second son of the Rev. George Addison.

7. At London, in his 81st year, Sir George Wood, Knt. late one of the Barons of the Court of Exchequer.

8. At her house in Brighton, Amelia Charlotte, second daughter of the late Archibald Grant, of Pittencrieff, Esq.

— At Greenock, Thomas Ramsay, Esq. in the 85th year of his age.

— At Wakefield, Janet, wife of Daniel Maude, Esq. and second daughter of the late George Munro, Esq. of Calderbank.

— From inflammation, after an illness of two days, George Earl of Tyrone, eldest son of the Marquis of Waterford.

— At Harrowgate, in the 19th year of her age, Eliza, youngest daughter of the late Benjamin Outram, Esq. of Butterly Hall.

9. At Mortimer Cottage, Berkshire, Elizabeth, relict of the late David Murray, Esq. brother of Lord Elibank, and daughter of the late Right Hon. Thomas Harley.

9. At Fort William, Mr Thomas Gillespie, tenant at Ardachy, one of the most extensive score-farmers in the north of Scotland.

— At Wellington Place, Leith, Mr James Marr, corn merchant.

— At Dalkeith, Mrs Ann Aitken, wife of Mr John Grey, merchant there.

— At sea, on his passage home from Jamaica, Colin Stewart Bruce, Esq. of Seaforth.

— At Balfour manse, the Rev. James Jeffrey, in the 75th year of his age, and 37th of his ministry.

11. At sea, on board the ship Helen from Trinidad, whither he had gone for the recovery of his health, Mr James Hunter Bogle, second son of the late Allan Bogle, Esq. Glasgow.

— At Newc, Mrs James Haig.

— After a long and painful illness, William Henderson, Esq. of Nunholm.

— At Inverary, Major-General Du-gald Campbell.

— At Glasgow, Mr John Thomson, merchant, aged 71.

— At Calder Hall, near Carlisle, Isabella Ann, eldest daughter of General Sir R. Amelius Irving, Bart., late of Woodhouse.

13. At Irenside House, Abbeyhill, Edinburgh, Ann Somerville, aged 73, relict of the late Mr David Gray, merchant, Edinburgh.

— At Freeland, Penelope Leslie, daughter of Major Walker.

— At Leith, William Henderson, Esq. of Bardister, Shetland, in the 69th year of his age.

14. At Edinburgh, Mrs Margaret Macdonald, wife of Captain John Macdonald, barrack-master, Edinburgh, and youngest sister of Sir William Bulkeley Hughes of Plascoch, county of Anglesea, North Wales.

15. At Edinburgh, Gilbert Hutcheson, Esq. Depute Judge Advocate for Scotland.

— At the Cottage of Rockhall, Mary Ann, third daughter of Alex. Grierson, Esq. younger, of Lag.

— At Brunstain, Mrs Brown, wife of Mr John Brown, farmer there.

17. At Meadow Place, Edinburgh, Mrs Catherine Webster, widow of the Rev. John Webster.

17. At Ploughlands, near Edinburgh, Mary, daughter of Alex. Fraser, Esq., accountant.

— At Walker Street, Edinburgh, George Sandilands, Esq.

19. Charles Louis Secondat, Baron de Montesquieu, of Bridge-Hill House, in Kent, and of the Chateau de La Brode, near Bourdeaux, South of France. He was formerly a distinguished officer in the French service, of an ancient and noble family of Guenne, and descended of the illustrious Montesquieu, one of the greatest ornaments of French literature. The Baron settled in Kent, after the revolution of France.

— At Gogar Lodge, Mrs Dr Stewart.

— At Edinburgh, the Rev. Dr Thomas Fleming, one of the ministers of Edinburgh, in the 70th year of his age, and 45th of his ministry.

20. At Ruthwell Cottage, Mrs Ann M'Murdo, relict of the Rev. George Dun-can, minister of Lochrutton, in the 79th year of her age.

— At New York, of remittent fever, Mr Ebenezer Richardson, of Glasgow.

— At his house in Bridgend, Perth, Patrick Richardson, Esq. of Flatfield, some time one of the magistrates of Perth.

— At Banff, Miss Gordon, Legie, aged 70.

21. At Acra, west coast of Africa, Alex. Mackay Geddes, M.D. Assistant-surgeon Royal African colonial corps, youngest son of John Geddes, Esq. late of the Adjutant-General's department, North Britain.

— At the Priory, Stanmore, Lady Jan Gordon, eldest daughter of the Earl of Aberdeen.

— At Aberdeen, Mrs Ann Garioch, widow of the late Dr Walker of Laurence-kirk.

22. At Falmouth, in the 68th year of his age, George Munro, Esq. of the colony of Barbice.

— At Portobello, Mr William Dalma-hoy.

— At Glasgow, in the 69th year of his age, William Pattison, Esq. late merchant.

— At Balmuto, the Hon. Claud Irvine Boswell, Lord Balmuto.

— Suddenly, in his carriage, at Great

Canford, near Poole, Thomas Macnamara Russell, Esq. Admiral of the White.

22. At St Orix, in the 83d year of his age, John Gordon, Esq. of Cane Valley.

— At Bombay, Eliza Emma, wife of Henry H. Glass, Esq. Hon. East India Company's civil service.

23. At Edinburgh, Mr James Murray, late combmaker, High Street.

— At Bristol, Mr Stewart Cruikshank, son of the late Rev. Alex. Cruikshank, minister of Mearns.

— In Charlotte Street, Ayr, Andrew Belch, Esq. writer in Ayr.

24. At Sansonate, Mexico, George Cochran, Esq. of the house of Robert Cochran and Sons, Paisley.

— At Stevenson Mains, Mrs Elizabeth West, spouse of William Bogue, Esq. of Kirkland.

— At Leith, Mr Alex. Smith, merchant, aged 52.

25. At Penang, Commodore Charles Grant.

— At Halyburton, Berwickshire, after a few days' illness, Mr John Fairbairn, long tenant there, and author of "A Treatise on Sheep-farming, by a Lammermuir Farmer."

26. At Paris, Charles Smith, son of Patrick Chiene, Esq. late of Pluaug.

— At Marseilles, Charles Rowatt, of Kilkevan, Esq.

— At Mary's Place, Stockbridge, Edinburgh, Mrs Susan Sangster, wife of Mr John Parker, S.S.C.

— At Edinburgh, the Rev. Robert Doig, one of the ministers of the parish of St Nicholas, Aberdeen, in the 56th year of his age, and the 34th of his ministry.

27. Her Grace the Duchess of Gordon, after a most severe illness of above twelve months.

— At Corey Park, near Stirling, William Drummond, sen. nurseryman, aged 68.

— At Ashmore, Robert Gordon, Esq. of Ashmore, planter of Invernietie.

— At Edinburgh, the Hon. Miss Beitha Hamilton.

— At South Wellington Place, Glasgow, Henry Thomson, Esq.

— At manse of Warrimour, the Rev.

Mr Joseph Kirkpatrick, minister of that parish, in the 75th year of his age, and 47th of his ministry.

28. At Duff House, Miss Erskine, of Dun.

— At Monmouth, John Charles Collins, M.D. of Swansea.

— At Edinburgh, Susan, youngest daughter of the late Major Hamilton Maxwell, of Ardwell.

— At Glasgow, Ann Campbell, wife of Mr Colin Campbell, merchant there.

29. At her house, in Carrubber's Close, Edinburgh, Agnes Deborah Campbell, aged 81, spouse of the late James Miller, preacher of the gospel.

— At her house, Hope Street, Edinburgh, Miss Blair.

30. At London, Mr William Sharp, the greatest engraver this country (perhaps Europe) has ever produced. He died as he lived, a believer in the divine commission and miraculous conception of the late Joanna Southcote.

— At Kilconquhar, Fife, Mrs Magdeline Lizars, wife of Mr John Brewster, printer, 11, Society, Edinburgh.

31. At Elgin, Robert Joss, Esq.

— At Glasgow, Mr John Wilson, merchant, in the 80th year of his age.

— At Alloa, Mrs Janet Peterson, wife of Mr Robert Barton, merchant.

— At the manse of Little Dunkeld, in the 52d year of his age, the Rev. Dr Alexander Irvine, minister of that parish.

— At his house, Park Street, Edinburgh, John Brown, Esq.

Lately, At Drayton, near Abingdon, Berks, aged 85, William Hayward, Esq. In his lifetime, Mr H. had distributed many thousands among his relatives, nevertheless, he died worth 400,000*l.*, the greater part of which he has left among them, many of whom are in indigent circumstances.

— On his passage to Europe, for the recovery of his health, Ensign George Huntly Gordon, of the Hon. East India Company's service, youngest son of Lieutenant-General Gordon Cumming Skene, of Pitlurg and Dyce.

— Off Algiers, suddenly, Mr William Rogers, master of his Majesty's ship Glasgow.

**AUGUST 1.** In Manchester, where he was much respected, Alexander Livingston, a native of Haddington, at the advanced age of 98 years. In the early part of life he served twenty-seven years in the Scots Greys, during the German war. He had two horses shot under him at the memorable battle of Minden; he was severely wounded at the battle of Bellefleur, where that distinguished corps suffered very much. He was a pensioner of Chelsea Hospital nearly fifty years. He retained his faculties till within a few minutes of his death; and a few days prior to his dissolution he related with enthusiasm the earliest achievements of his active life. He was buried at St John's Church with military honours, by order of Lieutenant-Colonel Sir Thomas Pate Hankin, commanding the Scots Greys, who are now stationed in Manchester barracks. This gentleman heard of the death of the old soldier, and with the true feeling of a military man, gave immediate directions for his interment to be sanctioned by the attendance of a suitable guard, the regimental band of music, who played solemn dirges, a horse properly caparisoned, and military mourners, consisting of a captain, a subaltern, three sergeants, two corporals, and forty privates. The friends of the deceased were the chief mourners, and three volleys were fired over the old man's grave.

— At Scotsraig House, William Dalgleish, Esq. of Scotsraig.

— At the Manse of Irongray, Mrs Anne Campbell, wife of the Rev. Dr Dow, minister of Irongray.

— At Burnhouse, Joseph Calder, Esq.

— At Burntisland, Mr Andrew Hutison, town-clerk.

**2.** At Godstone, Surrey, on his way to Worthing for the recovery of his health, in the 29th year of his age, the Rev. Alexander Waugh, A. M. minister of the Scots Church, Mile's Lane; and son of the Rev. Dr Waugh, minister of the Scots Church, Well Street.

— At her house in Gilmore Street, Edinburgh, Mrs Isabella Telfer, widow of Alexander Telfer, Esq. of Luscar.

**3.** Suddenly, at his house, River Bank, forty miles up the Mohawk river, North America, Mr James Archibald, farmer,

late of the Little Cumbray, by the Isle of Bute, much respected.

**3.** At East Mill, near Brechin, Patrick Wilson, Esq. in the 49th year of his age.

— At Ashby-de-la-Zouch, Leicestershire, Mr Thomas Kirkland, an eminent surgeon of that town. He was a son of Dr Kirkland, late a celebrated physician of the same place, upon whose evidence Earl Ferrers suffered death at Tyburn as a common felon, for shooting his steward.

**4.** At Cheltenham, Thomas Jamieson, M. D. aged 71, where he had been a resident physician twenty-two years.

— At Orrard, Mrs Richardson, lady of the late James Richardson, Esq. of Pitfour Castle, much and justly regretted.

**5.** At Dumfries, Mr James Dinniston, late merchant there.

— At Mary's Cottage, Trinity, Mrs J. Linning.

**6.** At Tynefield, William Hunter, Esq.

**7.** Mrs Jessie Hamilton, wife of John Glassford Hopkirk, Esq. W. S. in the 28th year of her age.

**8.** At Marseilles, whither he had gone for the recovery of his health, the celebrated German philologist, Frederick Wolf, in his 68th year.

— On his passage to Sydney, Mr John Wyld, of Hobart Town, Van Diemen's Land.

**9.** In Davidson county, North Carolina, Mr Barnet Weir, aged about 120 years. He was a native of Germany, but had been an inhabitant of Davidson county as far back as the oldest inhabitant could recollect.

— At Bath, Major-General William Augustine Prevost, C. B. son of the late Major-General, and brother of the late Lieutenant-General Sir George Prevost, Bart.

— At Juniper Green, Colinton, Lieutenant Henry Hynes, R. N.

**10.** In Lauriston Lane, Edinburgh, Francis, the only son of Leonard Horner, Esq.

— At Glasgow, Mrs Powlett, the widow of Lieutenant-Colonel Horatio Armand Powlett, in her 86th year.

— At Cornhill, in the 64th year of his age, Lawless Robertson, Esq. of Cornhill, late provost of Perth.

— At St Thome, Madras, William,



youngest son of Lieutenant-Colonel Commandant Robert Macdowall, 7th regiment native infantry.

11. At Missolonghi, Lord Charles Murray, youngest son of the Duke of Atholl.

— At Edinburgh, Maria Jane Craigie, eldest daughter of Captain Edmund Craigie, of the Hon. East India Company's service.

— At Aberdeen, in the 23d year of her age, Jane Allan Kidd, daughter of the Rev. Dr Kidd.

12. At Rothesay, at an advanced age, the Rev. James Ramsay, formerly minister of the gospel in Glasgow.

13. In Upper Gower Street, London, Lucy Elizabeth, wife of Lord Maurice Drummond.

— At Clifton, Lieutenant John Bushnan, R. N. aged 28. He sailed with Captains Ross and Parry in the three north-west expeditions, and was attached to the overland expedition destined for Behring's Straits, under Captain Franklin.

14. At Glasgow, Dr William Buchanan, late surgeon of the 82d regiment of foot.

— At Edinburgh, Mrs Jean Lawton, widow of Edward Lawton, Esq. of the island of Jamaica.

— At his house, Dean Bank, Captain James Matthew.

15. At Edinburgh, the Rev. James Duguid, third son of the Rev. John Duguid, minister of Evie and Rencal, Orkney, aged 27.

— At Glasgow, in the 28th year of his age, Mr John Johnston, formerly midshipman on board his Majesty's ship *Royal Oak*, 74 guns, Admiral Sir Pulteney Malcolm, and, at the period of his decease, agent for the Forth and Clyde Canal Company.

— At Burnside, George Roger, Esq. of Burnside, in the 70th year of his age.

16. At Sandwich, Mr Frend, landlord of the Mermaid inn. The deceased, with several young men, a few days back, were enjoying themselves in a field running, when a blade of grass by some means cut his foot, and the wound gradually getting worse, caused his speedy dissolution.

— At Newtown, Paisley, at an advanced age, Miss Mary Rainy.

16. At Arbroath, in the 58th year of his age, the Rev. John Cruikshanks, pastor of the Scots Episcopal Church there.

— At Edinburgh, Mr James Richardson, surgeon and druggist.

17. At Leith, Peter F. Hay, son of Mr John Hay, ship-owner.

— At Inverness, Mrs Sirella M'Iver, relict of the late Rev. Murdoch M'Iver, minister of Lochalsh.

— At Meadowsale, near Strathaven, James Millar, Esq. advocate.

— At Rockhill, Argyllshire, Mrs M<sup>rs</sup> Lachlan, sen. of M'Lachlan, in the 31st year of her age.

18. At Lochbuy House, Mrs M'Laine, senior.

— At Glasgow, Lieutenant James Joseph Gordon, R. N. aged 41 years, only son of Captain Gordon, late of Gordon Bank.

— Mrs Heugh, relict of John Heugh, of Cartcows, Esq.

— At Cupar, Mr Peter Morgan, supervisor of Excise.

19. In the 28th year of her age, Susanna Davidson, wife of Wm. Kirkaldy, Esq. merchant in Dundee.

— At Edinburgh, William Calder, Esq. late lord-provost of that city, much and deeply regretted.

— At the Bridge of Allan, near Stirling, Mrs Ann Thomson, second daughter of the late Alexander Thomson, tobacconist, Edinburgh, and spouse of Robert Rankin, some time general agent, Katharine Street, there.

20. At Dalnaspidal, Blair Atholl, Lieutenant-Colonel George Johnston, brother to the Right Hon. Lady Gray.

— At London, Thomas Trevor Hampden, Viscount Hampden and Baron Trevor of Bromham.

— At Eden, Mrs Grant Duff, relict of the late John Grant, Esq. of Kincardine O'Neil.

— At Edinburgh, Mr Daniel Miller, late of the Excise.

21. Near Rome, Mrs Erskine, relict of John Erskine, Esq. eldest son of the late Mr Erskine, of Cardross.

— At Burnstick, on the estate of Breoch, in the neighbourhood of Castle Douglas, Henry Alexander, aged 103 years. He recollected quite well the troubles in this country in the year 1745, and frequently

— recounted an anecdote of his mother having dug a hole in the yard, and carefully hid her butter-pig in it, lest it might fall into the hands of the Highlanders.

22. At Dundee, suddenly, Mr William Walker, writer, aged 67 years.

— At Inverleith Mains, Mr George Lauder, farmer.

23. At Stranraer, James Mackay, Esq. merchant, Glasgow, in the 60th year of his age.

— At Paris, Lady M. Arbuthnot Ogilvy, aged three years and five months, youngest daughter of the Earl and Countess of Airly.

— At Bilbo Park, parish of Logie Buchan, James Perry, Esq. surgeon, in the 63d year of his age.

— At Milburn, Miss Jean Welsh, in the 79th year of her age.

— At Blairlogie, Stirlingshire, Miss Emilia Husband Baird, daughter of the very Rev. Dr G. H. Baird, Principal of the University of Edinburgh.

24. At Busby, Mrs Macfarlane, relict of the late Malcolm Macfarlane, Esq.

— At the house of his son in the Vale of Neath, aged 71, the Right Hon. Valentine Lewis, Earl of Dunraven.

— At Duntrune, Mrs Stirling Graham.

— At Edinburgh, Mrs Elizabeth Dickson, North St Andrew's Street.

— At Edinburgh, Mr Robert Douglas, late of the Advocates' Library, aged 87 years. He was admitted into the Advocates' Library in the year 1786, which situation he held for 38 years, much to his own credit, and to the satisfaction of the members of that learned body, by whom he was much respected.

— At Cadiz, Mrs Hamilton, of Dalzell, Lanarkshire.

25. At Mendoza, in South America, Daniel Weir, Esq. merchant, Buenos Ayres.

— In the parish of St Mary, Castle-gate, York, Elizabeth Elgin, a poor widow, in the 102d year of her age. Her mother lived to be 103 years old, and her grandmother attained the still greater age of 104.

— At Inverness, Catharine, eldest daughter of Colonel M'Pherson.

26. In Argyle Square, Edinburgh, Janet, the wife of William Wallace, Pro-

fessor of Mathematics in the University of Edinburgh.

— At Bankhead, South Queensferry, Captain William Gordon, second son of the late James Gordon, Esq. of Rosieburn.

27. At Ayr, John Aitken, Esq. late bailie of the burgh of Ayr.

— In his 90th year, Mr Nathaniel Stevenson, merchant in Glasgow.

— At Séggie, parish of Leuchars, at the advanced age of 99 years and four months, Jean Mavor, widow of David Melville, late labourer, Kincapple.

28. At Negapatam, William Hardy, Esq. of Charlesfield, captain native infantry, Hon. East India Company's service, Madras.

29. At Edinburgh, Elizabeth, eldest daughter of the late William Cumming, Esq. of Riga.

— At Edinburgh, James Butter, Esq. W.S.

— At St John's Hill, Edinburgh, in the 22d year of his age, James Sutherland Bruce, son of the late Mr William Bruce, banker in Edinburgh.

— At Ann Street, St Bernard's, Edinburgh, Mrs Jean Spalding, eldest daughter of the late Alexander Spalding Gordon, Esq. of Holm and Shirmers, and relict of James Fraser, Esq. of Gorthleck, W.S.

30. At Gowally, Perthshire, Agnes, second daughter, and, at Greenock, on the same day, Michael Boston, fourth son of the late Rev. Dr Alexander Simpson, Pittenweem.

— At Dublin Street, Edinburgh, Mr John Bell.

— At Ayr, Mr George Hendrie, son of the late Dr Hendrie, Kilmarnock.

— At Brighton, in the 75th year of her age, the Hon. Mrs Frances Wall, daughter of the late Lord Fortrose, and sister of the late Earl of Seaforth.

— At Craigleith Hill, Eliz. Grahame, youngest daughter of Mr William Bonnar.

— At Lanark, Vere Wilson, relict of William Thomson, Esq. of Castle Yett.

— At the house of the Earl of Airly, in Paris, Mrs Clementina Graham, relict of the deceased Gavin Drummond, Esq. of Forth Street, Edinburgh.

~31. At Edinburgh, Mrs Susan Christie, wife of Thomas Christie, Esq. eldest son of the late James Christie, Esq. of Durie, Fifeshire.

*Lately.* At Tewkesbury, Thomas Tippen, a Chelsea pensioner, in his 100th year. The veteran enjoyed his faculties in tolerable perfection until a very short period before his death. He entered the army in his 23d year, and served as a private in the 20th regiment at the memorable battle of Münden, as well as in five other general actions on the continent.

— At Okegem, near Ninove, in the Netherlands, a woman named Marie De Brakeleer, aged 103. She possessed her intellectual faculties to the last, and her hair was long, black, and thick.

— On board his Majesty's ship Owen Glendower, on his passage home from the coast of Africa, Mr Thomas Thomson, youngest son of the Rev. George Thomson, minister of Melrose.

— At Nagpore, in India, Captain William Hardy, of Charlesfield, eldest surviving son of the late Rev. Dr Thomas Hardy, Professor of Church History in the University of Edinburgh, and one of the ministers of that city.

SEPTEMBER 1. At Tarbes, south of France, Bryan, third son of Capt. Hodgson, R. N.

— At Tranent, Mrs Alexander Allan, in the 81st year of her age.

— At Denburn, near Alyth, Mr David Donald, surgeon.

— At Wentworth House, the Countess Fitzwilliam.

— The Rev. John Sim, A. B. of a gradual decay of nature. He was in his 78th year, being born in the year 1746. He was a native of Kincardineshire. He had been the intimate friend of Sir W. Jones, Day, Mickle, and many other eminent literary men of that period. In 1772 he succeeded his friend Mickle as corrector of the Clarendon Press, Oxford, and entered St Alban's Hall in that University. In 1806 he published a complete edition of Mickle's works, and prefixed to it an interesting memoir of the deceased Poet. During the latter years of his life he performed no clerical duty, but lived retired, amusing himself with literature till within a few days of his death.

1. At Kingston, Jamaica, Mr John M'Feat, son of Mr Walter M'Feat, of Glasgow.

— In Dublin County, North Carolina, America, Mr Jacob Matthews, aged 108 years. Until a few months before his death, he retained almost the vigour of youth; his sight was perfect, and he could walk ten or fifteen miles a day. Seven years ago his wife died, aged 100 years; they had been married eighty years.

2. At St Andrew's, Jamaica, Robert Lathan Mowbray, eldest son of Mr Mowbray, W. S.

— At the age of 84, the Rev. Dr Robert Macculloch, minister of Dairsie for upwards of fifty years, and known to the public as author of a work, in four volumes, on the Prophecies of Isaiah. He was a clergyman of the old school, and exemplified in his clerical deportment not a little of the conscious dignity for which it was distinguished. His discourses were not only highly popular among his own congregation, but, until age enfeebled his faculties, attracted considerable numbers from the neighbouring parishes. He devoted, while strength permitted, a portion of every day, during winter as well as summer, to exercise in the open air; which, with the strict regimen that in other respects he observed, was probably the means of extending his life beyond the usual boundary. Of such traits in his character as may be deemed peculiar, two may be mentioned—first, that he formed a code of laws for the regulation, even to the minutest circumstance, of his domestic concerns; which the dread of his rebuke (which it is said was no easy thing to bear) disposed all concerned to yield the most implicit obedience to; and, secondly, that, twelve years previous to his decease, he had ordered the coffin in which he was interred to be prepared for the purpose of aiding, by a striking sensible image, those solemn meditations on his latter end which he was in the frequent practice of indulging.

— At Edinburgh, Mr Thomas Lees, precentor of the High Church of this city. He had been ill for some time, but was out the day he died. As a bass and glee singer he was much admired. He was a native of Lancashire, and a plain, inoffensive, honest man.

2. At Edinburgh, Mrs Hannah Blackwell, late, housekeeper at Marchmont House, in the 91st year of her age. She dressed the late Lady Marchmont for the coronation of his late Majesty, George the Third, and was present at that august ceremony. She retained her mental faculties till the close of her long life.

3. At Northampton, aged 87, Dr William Kerr, physician there.

4. At East Grange, Mr David Ker, son of the late James Ker, of East Grange, Esq.

6. At Old Aberdeen, Isabella, daughter of the late George Seton, Esq. of Mounie, and wife of Dr Skene Ogilvy, senior minister of Old Machar.

— At Pendreich, near Lasswade, aged 27 years, Mrs Margaret Melrose, wife of Mr James Macleish, merchant, Edinburgh, much and justly regretted; also, at No. 12, Montague Street, on the 12th current, Helen, their daughter, aged four months.

— At Edinburgh, Isabella, eldest daughter of the late Rev. Andrew Chatto, of Mainhouse.

— At his seat, Linstead Lodge, in the county of Kent, the Right Hon. John Roper, Lord Teynham. His lordship dying unmarried, he is succeeded by his first cousin, Henry Roper Curzon, Esq. eldest son of the late Hon. Francis Roper.

— At No. 16, Minto Street, Newington, Edinburgh, Mrs Jean Robertson, widow of the Rev. James Robertson, late minister of Ratho.

7. At Wall Bury, in Essex, in the 45th year of her age, Amelia, wife of Joseph Grove, and eldest daughter of the late Lieutenant-General Goldie, of Goldie Lea, near Dumfries.

— At his seat, Sydenham, Kent, in the 67th year of his age, Andrew Laurie, Esq. of the Adelphi, one of his Majesty's Justices of the Peace for the city and liberty of Westminster, and county of Middlesex.

— At Musselburgh, Mr John Thomas, late merchant in Edinburgh.

— At Southfield, by Auchtermuchty, Mr William Couper, late upholsterer in Edinburgh.

— At Kincardine O'Neil, Patrick Henderson, Esq. advocate in Aberdeen.

— Captain James Ellis, aged 79 years,

the oldest commander in the navy. Previous to the breaking out of the late war, he was first lieutenant of the *Arethusa*, and was wounded in the celebrated action with the *Belle Poule*, in June 1778, after which the *Arethusa* was sent to Portsmouth to refit. For his conduct in that action he was made a commander, and commanded the *Orestes*.

8. At British Accra, West Africa, James Sibbald, M. D. assistant-staff-surgeon, second son of John Sibbald, ironmonger, Edinburgh.

— At Edinburgh, Mrs John Jeffrey, daughter of Dr James Hunter, St Andrew's.

9. At Balerno, near Currie, Mr John Logan, paper-manufacturer.

— Lord Viscount Hampden. His lordship had enjoyed his title only a few days, and is succeeded in the entailed estates by George, Earl of Buckinghamshire.

— At Cally, Dumfries-shire, aged 100 years, Mrs Grace Cantley, relict of the deceased Mr Richard Cantley, gardener there. She was scarcely ever known to be confined by sickness till within a short time previous to her death, and enjoyed a very contented disposition.

— At Aberdeen, in his 21st year, James Massie, Esq.

— By the upsetting of a boat at Cape North, on the coast of Labrador, Mr John M'Pherson, merchant, aged 40. He was a native of Edinburgh, and much regretted by a numerous circle of friends and acquaintances.

10. At Florence, Captain Donald Macalister of Loup and Torresdale, in the 34th year of his age.

— At Copenhagen, Mr Rothe, aged 94, father of the bookselling trade in Denmark, and most probably of Europe. He came originally from Germany, and edited the works of Klopstock.

— At Carskey, Lieut.-Colonel Malcolm Macneil, of Carskey.

— At Portobello, Mrs Margaret Pringle, widow of John Pringle, Esq. surgeon, R. N.

11. At Craigend, John Morrison, Esq. of Craigend, aged 79.

— Mr William Andrew, writer.

— In the island of St Croix, Dr James Hill, of Dumfries, on the eve of his return to his native country.

11. At St John's, Ayrshire, Margaret Isabella, youngest daughter of David Ramsay, Esq. W. S.

— At Walton, near Liverpool, David Graham, Esq. the last surviving son of the late Robert Graham, Esq. of Fintry.

— At Cape Castle, Cape of Good Hope, Alex. M'Lauchlan, surgeon, 49th regiment.

12. At Black River, Jamaica, Alex. Bruce, Esq. of St Elizabeth's.

— At Coldstream, James Bartie, youngest son of Captain A. D. M'Laren, Berwickshire militia.

— At his seat, near Southampton, after a long and severe illness, the Rev. Sir Charles Rich, Bart. in his 73d year.

13. At his house, Canongate, Edinburgh, Henry Prager, Esq.

— At the house of his nephew, near Aberdeen, Dr John Bate, physician in Montrose. Dr Bate practised with great zeal, ability, and success, for the long period of fifty years, having settled in Montrose in the year 1773. His conduct was marked by the most benevolent disinterestedness—he looked only to the welfare of his patient, and too little to his own interest.

— At Dalkeith, Mr Alex. Innes, watchmaker, aged 67 years.

— At Glasgow, John Preston, Esq.

14. At Crooks of Kirkconnel, Mary Ann, daughter of Robert Maxwell, Esq. of Breoch, aged 17.

— At Sierra Leone, Africa, Mr Robert Symes Laing, only son of the late Mr James Laing, merchant, London.

16. On board the Finsbury transport, on her passage home from Cape Coast Castle, Maria M'Arra, wife of Charles Stewart Lizars, Ensign, royal African colonial corps.

— At the manse, Falkirk, after a long illness, Elizabeth, only daughter of the Rev. Dr Wilson, minister of Falkirk.

— At Auchtertool manse, Mrs Moffat, Kirkaldy.

— At London, aged 79, Lieut.-General Andrew Anderson, of the Hon. East India Company's service, on their establishment of Bombay.

17. At Edinburgh, Mrs Ann Stevenson, relict of Mr Henry Watson, late merchant in Edinburgh.

17. At Mount Melville, Maria Louisa, youngest daughter of John Whyte Melville, Esq. aged 12 months.

— At Grandholm Cottage, in the 7th year of his age, James Martin Lindsay, eldest son of Lieut.-Colonel Lindsay, 78th Highlanders.

18. At Daldowie, Miss Bogle, of Daldowie, in her 80th year.

19. Mr Archibald Grahame, writer, Glasgow.

20. At Geneva, Miss Robina Burnside, niece of the late Col. Robert Wright, of Charlotte Square, Edinburgh.

— At Langdales, in the parish of Ainstable, Mts Isabella Hogarth, aged 103 years. She was attended to the grave by no fewer than 46 great-grand-children.

21. On board his Majesty's frigate, Hussar, lying off Vera Cruz, Mr J. Hall, merchant, of that city.

— At London, the well-known Major Cartwright. He left his lodgings at Hampstead about a fortnight ago, on account of illness, which terminated in his dissolution. The taper of life might in him be said to have burned to the socket; his disease was old age. If he had lived to the 24th, he would have completed his 84th year.

22. At Madras, Capt. Archibald Erskine Patullo, commanding the Hon. the Governor's body-guard, Fort-George.

— At King Street, Leith, Jane, daughter of the late Mr Henry Band, merchant there.

— At Forth Street, Edinburgh, Margaret Ann, eldest daughter of the late John Thomson, Esq.

23. At Troon, Lieut. Bowie, R. N. and Commander of the Duke of Portland's yacht.

— At Gunton, Norfolk, the Right Hon. Georgina, Lady Suffield, wife of the Right Hon. Edward Lord Suffield, and only child of the late Right Hon. George Edward Venables, Lord Vernon.

— In Belmont, in his thirty-second year, Braithwaite Christie, third son of the late Admiral Alex. Christie, of Haberton, county of Mid-Lothian, North Britain, being just compelled, by an obstinate and painful disease, to exchange for half-pay a troop in the 5th regiment of dragoon guards, of which he arrived to be the

senior captain. Attached to the service from a boy, his gallantry and perseverance, in arduous trials, were conspicuous during the campaigns of the Peninsula, and at the battle of Waterloo. He was aid-de-camp to Sir William Ponsonby, and, on the fall of that distinguished General, was instantly again advanced to the staff, by Sir Denis Pack, whose confidence and friendship he always enjoyed.

28. At Madras, Charles Fullerton, Esq. Judge at Chingleput.

26. At Inverary, Mrs Elizabeth Campbell, relict of Provost Lachlan Campbell.

— At Chelsea, after a short illness, Henry Cooper, Esq. barrister.

27. At his father's house, in the 30th year of his age, David Bogue, of the Inner Temple, London, son of the Rev. Dr Bogue, of Gosport.

— At Ardeer House, Patrick Warner, Esq. of Ardeer, and late of the R. N.

29. At Madras, Mrs Bomson, wife of Lieut.-General Thomas Bomson, commanding in Mysore.

— At Dunse, the Rev. Andrew Davidson, senior pastor of the second United Associate Congregation there, in the 86th year of his age, and 54th of his ministry.

— At Loudham Hall, Suffolk, Lady Sophia Macdonald, wife of James Macdonald, Esq. M.P.

— At Greenwich, the Lady of Capt. James Ross, H.E.I.C.S.

— At Barwhinnoek, George Douglas Macmillan, Esq. late of Kingston, Jamaica.

30. At Helensburgh, John Bartholomew, Esq. of Cotton Hall, merchant, Glasgow.

— At Tarbolton, in the 79th year of his age, universally regretted, Captain Robert Cowan, late of the Royal Scots Greys, in which regiment he served with distinguished merit, for the very long period of upwards of 43 years.

OCTOBER 1. At Calcutta, Lieutenant James Mather Alston, younger, of West-ertown.

— Mary, widow of John Stockdale, bookseller, Piccadilly, in her 76th year.

2. At Alvarado, Peter Martin, Esq.

— At Muttonhole, Mr J. Mann, vintner, aged 82.

— At Shawhill, John Carlyle, Esq.

2. At Airdrie, Mrs Erskine, of Airdrie.  
3. At his father's house, Tomperran, Perthshire, Alex. M'Laren, Esq. late of Manchester.

— William Marshall, Esq. Perth.

— At Edinburgh, Esther, the wife of the Rev. Christopher Anderson.

4. At his residence, near Utrecht, Netherlands, John Louis Bosch, aged 71, senior Admiral of the Netherlands fleet, and the last survivor of the officers who obtained gold medals for their gallantry in the action off the Doger Bank.

— At Hawick, Mr George Waldie, merchant.

— At Arbroath, in his 42d year, David Carey, Esq.

5. At Stirling, Alexander, aged four years and six months; and, on the same day, William Fraser, aged two years and five months, both sons of Mr Alexander Blackadder, civil engineer, Allan Park. Twelve years ago, in the same month of the year, two sons of the same gentleman, of the same names, and of similar ages, died within twenty-four hours of each other, of the same disorder.

6. At Edinburgh, Robert Wellwood, second son of Robert Clarke, of Comrie, Esq.

— At Edinburgh, the Rev. Robert Elliot, Rector of Wheldrake, and Huggate, in Yorkshire.

— At Kirkton, near Dumbarton, Mr Robert Knox, late merchant in Glasgow, in the 90th year of his age.

— At China, Mr James Mackenzie, sixth officer of the H. C. S. Duke of York, second son of the late Alex. Mackenzie, Esq. of Lettereme.

7. At Stockbridge, Mr George Mitchell, merchant, Leith.

— Mr J. Otridge, bookseller, of the Strand, London, aged 55.

— At Aux Cayes, Hayti, John Aitkin, Esq. merchant.

— Near Rangoon, Lieut. John Lindsay, of the 34th regiment Native Madras infantry, second son of William Lindsay, of Bahmany, Fifeshire. Lieut. L. fell while gallantly engaged with the detachment in a disastrous attack upon a blockade defended by Burmans.

8. At Prince of Wales Island, John Macalister, Esq. senior member of Council.

8. At Woodhill, Robert Miln, Esq. of Woodhill.

9. At Falkirk, Miss Helen Scott, daughter of the late David Scott, Esq. of Newherbenholm.

— At Kingston, East Lothian, William Lawrie, Esq.

— At the Barracks, Chichester, Capt. M'Iver, 98th foot.

10. At Whitehall, the wife of John Robison, Esq. Coates Crescent.

11. At Inverleith House, James Racheid, Esq. of Inverleith.

— At Coblenz, of apoplexy, his Excellency Baron Thielman, General of cavalry, and Commander-in-Chief of the Prussian provinces on the Rhine.

12. At Edinburgh, Nathan Mills, printer, aged 75, a native of Boston, North America. At the evacuation of that town by the British troops, he accompanied the army as editor and printer, and published a newspaper under the title of the Massachusetts Gazette, against which a severe edict was issued, prohibiting its being brought into the State. His custom was to express himself in severe terms against his countrymen for throwing off their allegiance to the British Government, which he always termed the parent country. It may be some consolation to his relatives and friends to know that he was well attended to during the time of his trouble, under which he evinced a great degree of patience and resignation.

14. At the Cape of Good Hope, on his way to England, for the recovery of his health, Lieut. John Liddell, Bombay artillery, in the 20th year of his age, fourth son of James Liddell, Esq. Auchtertool.

— At Losaet, near Campbelltown, Captain Nash, R. N.

15. At Ballinrobe, in Ireland, Mary, wife of John M'Robert, Esq. M.D. Surgeon in the 10th hussars.

— At Glencroft, parish of Twynholm, Mary Milrea, aged ninety-six years, widow of the late James Magee, Esq. of Glencroft.

16. At Edinburgh, Mr William Cockburn, writer.

— At Malahide, aged 98 years, John Haig, Esq. M.D., late physician to the Forces at Cork. This truly skilful and zealous officer began his career under Admiral Saunders, in the Mediterranean,

where (although then a very young man) he had sufficient nerve to inoculate the Dey of Algiers; an operation previously unknown to these semi-barbarians; a race, whose conduct, in case of failure, no man could calculate on: in fact, he operated with a drawn scimitar over his head! The Emperor of Morocco was also his patient. Dr Haig served his country in the reigns of George II., III., and IV., and has left two most amiable children (females) behind him.

17. At Edinburgh, in his 84th year, Mr Alex. Hacket, formerly of Fraserburgh.

— At his house, York Place, Edinburgh, John Pitcairn, Esq. of Pitcairn.

— At Aberdeen, Dr Ross, one of the ministers of the East Church of that city. He preached on the Thursday previous at the Ordination of his colleague, Mr Murray. He rose on Sunday morning, although he felt himself not very well, and died about eight o'clock. It is little more than three months since his late colleague Mr Doig died. The sudden death of the Doctor, which was known by few till they arrived in church, excited the surprise and grief of his congregation, by whom he was greatly beloved. He has been about thirty years minister of the East Church. He was much respected, and he had both the ability and the inclination to relieve the needy, by whom his loss will be severely felt.

18. At Culcaigrie, parish of Twynholm, aged 74 years, Margaret Halliday, wife of John Halliday, Esq. of Mayfield.

— At Edinburgh, Mrs Agnes Dickie Crawford, wife of Samuel James Douglas, Esq. surgeon, North St David Street.

— The Rev. Peter Young, one of the ministers of the Secession Church in Jedburgh, in the 50th year of his age, and 27th of his ministry.

19. At Aberdeen, Mary Forsyth, widow of the late Henry G. Forsyth, Esq.

20. At Kenmore, Mr James Macnaughton, surgeon.

— Mr Richard Blackwell, of the George Inn, Haddington, and one of the magistrates of that burgh.

21. In his 80th year, Robert Pollock, Esq. of Crossbank.

— At Bath, Captain Menzies Duncan, of the Hon. East India Company's service.

21. At Pittmeddan, Andrew Landale, Esq. of Pittmeddan.

— At Sainte Adresse, in Normandy, aged 70, Robert Charles Dallas, Esq. formerly of the island of Jamaica, and the author of the History of the Maroon War, Percival, Aubrey, &c.

22. At Glasgow, Mrs Mary Smellie, relict of George M'Coll, merchant, Glasgow.

— At St Quivox, Mrs M'Quhae, relict of the Rev. Dr M'Quhae, late minister of that parish.

— At Greenock, Mr Thomas Stewart, bookseller.

— At Glasswood, Berwickshire, in his 70th year, James Hill, Esq. of Walthamstow, near London.

— At Portobello, William Caldwell, Esq.

23. Edward Stanley, Esq. aged 90, for many years his Majesty's Consul-General at Trieste.

— At Kerse, Mrs Greenshields; and on the 26th, Isabella, youngest daughter of John Greenshields, Esq. of Kerse.

— At Queen's Elm, Brompton, Lieutenant-Colonel Reginald James, late of the 37th regiment, aged 54.

— At Boarhills, Mary Bell, relict of the late James Philip, Esq. of Boarhills.

24. At Glasgow, Mr George Wingate, manufacturer there.

— At Edinburgh, Isabella, eldest daughter of Dr John Thomson.

— At Edinburgh, Mrs Marion Mansfield, widow of James Mansfield, Esq. of Midmar.

— At King's House, Barbadoes, of inflammation of the lungs, after ten days of severe suffering, Major John Wynne Fletcher, Captain in the 4th (the King's own) regiment of foot, and aide-de-camp to the commander of the forces.

25. At Aberdeen, Francis Suther, Esq. factor to the Most Noble the Marquis and Marchioness of Stafford, on the estate of Sutherland.

— At Strathtyrum, James Cheape, Esq. of Strathtyrum.

— At Montrose, Mrs Aberdeen, senior, in the 83d year of her age.

— John Hamilton, Esq. of Broomfield, aged 86.

— At Dupplin Castle, the seat of the Earl of Kinnoull, of a brain fever, Miss

Hammond, the only child of Lieutenant-General Sir Thomas and Lady Hammond, aged sixteen years and three months.

25. At Ditton, near London, George Alexander Wylic, eldest son of the late Dr Wylic.

27. At Glasgow, Ann Bolling Buchanan, daughter of James William Alston, Esq.

28. At Verdun, Mrs Grace Murray, widow of the late William Murray, Esq. of Polmaise.

— At Cape Haitien, St Domingo, Mr Walter Provand, formerly of Glasgow.

— At Diamond Estate, St Lucia, in the 26th year of his age, Robert Fletcher, Esq. eldest son of Mr Angus Fletcher, schoolmaster of Dunoon.

— At St Thomas, Captain James Ure, son of Mr Walter Ure, of Glasgow, in the 26th year of his age.

30. Near North Queensferry, William Gurley, Esq. of Petershope, St Vincent's, captain in the 55th or Aberdeenshire regiment of militia.

— At Dublin, after a protracted illness, the Rev. C. R. Maturin, M. A. curate of St Peter's.

*Lately*, After a short illness, the Princess Kutusov Smolenski, widow of Field-Marshal Blucher.

— At Haining, Mr George Bowic, late merchant in Kilmarnock, aged 68 years.

— At his house, Keir Street, Edinburgh, suddenly, Mr Robert Paisley, session-clerk of St Cuthbert's parish.

— At 32, Bishopsgate-within, London, Hugh Blair Finlay, bookseller, stationer, and librarian, in the 27th year of his age.

— At Dublin, the Rev. Benjamin M'Dowall, D.D. senior minister of the Scots Church, Mary's Abbey.

— At North Shields, while sitting alone writing a letter, Mr W. Richardson, notary public, the elegant translator of the Odes of Anacreon, and several works of genius.

— At London, Viscountess Templeton.

— At Bath, the Hon. Sarah Jones, youngest daughter of the late Viscount Ranelagh.

— At York, Elizabeth Flin, a poor widow, in the 162d year of her age. Her



mother lived to be 103 years old, and her grandmother attained the still greater age of 104.

NOVEMBER 2. At Irvine, William Snodgrass, Esq. in his 84th year.

— In the 72d year of his age, John Craig, Esq. of Kirkton.

— Mrs Ann Welsh, relict of Mr Alexander Tweedie, late in Drevva.

— At her house, Leith Street, Edinburgh, Mrs Ann Donaldson, relict of the late Mr Thomas Donaldson, merchant there.

— At Aberdeen, Widow Prinrose, aged 103.

4. At Mouswald Manse, the Rev. Jacob Dickson, minister of that parish, in the 88th year of his age, and 55th of his ministry.

— At Dalkeith, in his 7th year, Dr Andrew Graham, physician.

5. Near Salisbury, Captain Kenneth Mackenzie, R.N. only surviving son of the late James Mackenzie, Esq. of Forret. It is but justice to the memory of this brave and distinguished officer to say, that he was an ornament to his country. He fought in many of her battles, in which he was repeatedly severely wounded. The consequences attending a wound in his head put a period to his valuable life, and left his friends to mourn their sad and severe loss.

— At Edinburgh, William Russell, Esq. advocate.

— At Brechin, Mrs Hill, in the 88th year of her age.

6. At Portsmouth, on his way home to Scotland, from the Mediterranean, Alexander Watson, M. D. royal navy, in the 38th year of his age.

— At Glasgow, Mrs Ann Blair, aged 91, relict of the deceased Aeneas M'Pherson, Esq. of Flichity, Inverness-shire.

— At Dunfermline, the Rev. Dr Black, one of the ministers of the Chalmers's Street congregation there, much and justly regretted.

— At Ecclefechan, James Miller, Esq. of Castlebank, in the 82d year of his age. By his industry and activity, he had, from very low beginnings, accumulated a fortune, said to amount to 10,000*l*.

7. At Mount Bothwell Cottage, the infant son of Capt. Louis Campbell, R. N.

7. At Crescent, near Dundee, Miss Brown, daughter of the late Professor Brown, St Andrews, and sister to the present Principal Brown, Aberdeen.

7. At Stockbridge, Mr Charles Manson, late of Tobago.

8. At the Manse of Annan, the Rev. William Haldie Moncrieff, minister of that parish.

9. Major-General Thomas Carry, of the 3d regiment of guards.

— The Hon. Frances Howard, youngest daughter of Lord Howard, of Effingham.

— At Dublin, Richard, Earl of Annesley, Viscount Gerawly, and Baron Castlemail.

10. Mary Anne Maxwell, wife of James Knowles, Esq. eldest daughter of the late William Maxwell, Esq. of Yaxley, Huntingdon, and niece of the late George Maxwell, Esq. of Flitton Lodge, Lincolnshire.

— At Tarbes, south of France, Mrs Hodgson, wife of Captain Hodgson, royal navy.

11. At Annan, Mrs Irvine, relict of Robert Irvine, Esq. of Woodhall, aged 87.

— Suddenly, the Rev. James Lapslie, of Campsie.

— At Kensington, near London, aged 61, Mrs Isabel Lister, widow of the Rev. David Wilkie, late minister of the parish of Culps, Fifeshire.

13. At Hendon, Thomas Nicoll, Esq. formerly Lieutenant-Colonel of the 70th regiment.

— At Buccleuch Place, Edinburgh, Miss Clementia Cleghorn.

14. At Dalkeith, Mr John Bruce, son of the late Mr Alexander Bruce, upholsterer.

— At Lanark, John Mackenzie, Esq. sheriff-substitute there.

15. William Thomson, Esq. of Thornbank, near Stranraer, aged 68. His death was quite unexpected; he left his own house during the day in usual health, to take his accustomed walk in the fields, but not returning according to expectation, his family made inquiry at the houses of their neighbours, but learned nothing; search was then made in the direction which he had taken, when his

body was found lying beside a dyke, from the top of which it appeared he had been precipitated by a heavy gale of wind.

15. At Edinburgh, aged 93, Mrs Anna Foggo, widow of the late Rev. James Watson, one of the ministers of Canon-gate.

16. At Killermont, Miss Laura Colquhoun, youngest daughter of the late Lord Clerk Register.

17. At Moffat, Mrs Elizabeth Lochcad, formerly of Glasgow, and relict of the late Rev. John Johnston, Ecclefechan.

— At Transy, near Dumfermline, John Wilson, Esq. late Provost of Dumfermline.

18. At Edinburgh, Hugh Fraser, Esq. younger of Eskdale.

19. At Edinburgh, Emily Jane, fifth daughter of General Sir John Hope.

— At Edinburgh, Mrs Ann Christie, aged 77, widow of the late Captain James Christie, of the city guard, much and justly regretted.

— In New Hampshire, North America, Dr Ramsay.

20. At Paris, in her 86th year, Mrs Alice Morton, formerly the widow of John Crawford, Esq. of Gayfield Place, Edinburgh.

— Elizabeth, Countess of Oxford, aged 51.

— At Edinburgh, Mrs Harriet Mitchellson, relict of Dr Daniel Rutherford, Professor of Botany in the University of Edinburgh.

21. At Scravendale, in Holland, after his arrival from Surinam, James Campbell, Esq.

22. At Springfield, General the Hon. John Leslie Cuming.

— At Comely Bank, Mrs Isabella Bennett, relict of Archibald Hope, Esq. Collector of Excise.

— At Carlisle, Mary, relict of the late Mr Francis Jollie, aged 73.

23. At Vienna, Matthew Von Colin, one of the most celebrated Austrian literati, in his 46th year.

— At Cupar, Catherine Buist, wife of John Inglis, Esq. of Colluthie.

At Sen, soon after leaving Canton, Mr John Carnegie, midshipman of the Hon. East India Company's ship Berwick,

shire, third son of David Carnegie, Esq. of Craigor.

23. At Melville Place, Stirling, Mrs Mary Dorothea Ross, relict of Parr Ross, Esq. formerly treasurer, and one of his Majesty's Council of New Providence.

— John Erskine, Esq. late of the 94th regiment.

24. At Throckley Fell, Ann Jamieson, aged 102. She resided at Bambrough 58 years, and was one of the greatest spinners of the north, and, what is remarkable, she has in the last twelve months spun upwards of forty yards of cloth for the use of her son, although she has been blind for above three years; and it was with great difficulty she could be kept from her wheel on the morning of her death.

25. At Cupar, the Rev. George Campbell, D.D. in the 78th year of his age, and the 51st of his ministry.

— Mr John White, journeyman compositor with Mr Neill, Old Fishmarket Close.—He may be said to have lost his life by the late fires, having been in good health on Monday the 16th, and, in consequence of his exertions during the two nights of the calamity, was seized with inflammation of the chest.

— At Bath, Lieut.-Col. Newport.

26. At Edinburgh, Thomas Scotland, Esq. W. S.

— In Pall Mall, Frederick John Fitzroy Somerset, youngest son of Lord Fitzroy Somerset, in the fourth year of his age.

27. At Dumfries, Robert Whettley, Esq. late of the Berwickshire militia.

28. At St Andrews, the Rev. John Cook, D.D. Professor of Divinity in St Mary's College.

— At Musselburgh, Mr Stewart, surgeon there, aged 83.

— In Nicolson Square, Edinburgh, Mrs Marion Brown, spouse of James Spittal, Esq. merchant, aged 52.

— At Port Antonio, Jamaica, of yellow fever, John David Shirrefs, Esq. surgeon, eldest son of the late Alex. Shirrefs, Esq. advocate, Aberdeen.

29. At Edinburgh, Mrs Helen Allardice, aged 79.

— At his house in the Regent's Park, the Right Hon. Lord Hawke.

29. At Jock's Lodge, Major Morison, royal marines.

30. At Cyprus Grove, Templouge, John Orr, Esq. of Dublin, who for many years was one of the Directors of the Bank of Ireland.

— At Edinburgh, J. G. C. Schetky, Esq. aged 85, for many years a professor of music in this city; and, at Cape Coast Castle, on the 5th of September, his son, John Alex. Schetky, Fellow of the Royal College of Surgeons of Edinburgh, Deputy Inspector of Hospitals, and Member of Council at Sierra Leone.

*Lately.* At the Island of New Providence, in the West Indies, Capt. W. R. Dawkins, Commander of his Majesty's ship *Helicon*.

— In the Alms-house, Cupar, Agnes Young, widow, aged 90 years.

DECEMBER 1. At Netherwood Mains, Mrs Janet Brown, relict of the deceased John Brown, Esq. of Netherwood, aged 28.

2. At Dominica, Lieut-Colonel Emes, of the 5th foot.

— In Crichton Street, Jane, second daughter of the Rev. William Grierson, late minister of Glencairn, Dumfriesshire.

— At No. 12, Hart Street, Edinburgh, Dr Robert Groat, of Newhall.

— At the Manse of Fala, Mrs Margaret Lothian, wife of the Rev. Archibald Singers.

3. At Oban, Ann, daughter of the late Archibald Campbell, Esq. of Lerags.

4. At Midmills Cottage, Mrs Abigail Gillanders, wife of Thomas Mackenzie Paterson, Esq. of Drumcudden.

6. At Cupar, William Davidson, late convener of the trades there, aged 87. He was the oldest member of the Town Council, the oldest member of the Trades' Council, the oldest member of the Waulker Trade, and the oldest member of the Kirk session. Till a short period before his decease he enjoyed good health, and full possession of all his faculties, and he died regretted by all his friends and acquaintances.

— At her house, 21, Castle Street, Edinburgh, Miss Cunningham, of Bonnington.

— At Cross Hall, Berwickshire, James Marjoribanks, Esq.

6. At Caversham, near Reading, Major-General Powlett.

— At Boyndlie, John Forbes, Esq. aged 66.

7. At 33, Dublin Street, Edinburgh, Mrs Jane McNaughton, wife of Mr Archibald Fullarton, bookseller, Edinburgh.

10. At Edinburgh, Miss Christina Tytler, daughter of the late William Tytler, of Woodhouselee, Esq.

— At Banff, aged 100 years and upwards, Mrs Pirie, spouse of Mr Alexander Pirie, late merchant in Banff, and founder of the Charity School in the Sea Town there, for the education of poor children.

11. At Clachan of Tongland, John Wood, a native of the parish of Kérkgunzeon. His age is rather uncertain, but he has often been heard to say, that in the year 1745, when Prince Charles and his army passed through Dumfries, he was a man in his prime, and that in the year of the great wind, (1748) he was a married man, and had several children. At the former of these periods it is therefore supposed that he would not be under 22 or 23 years of age; so that at the time of his death his age could not be less than 100. He was endowed with great bodily strength, enjoyed the use of all his faculties, excepting hearing, and was never known to have even a headache, or any description of sickness or ailment, except ague, till his death, prior to which he was only confined a day or two.

— At No. 4, St James's Square, Mrs Helen Richardson, wife of Alex. Kidd, Esq. aged 73.

— At Nairn, Mrs Grant, Pölnicol, aged 86.

— At Lanark, Miss Jean Young, in the 92d year of her age.

— At Dunbar, Charles Lorimer, Esq. late Collector of his Majesty's Customs there, in the 78th year of his age.

12. Alex. Gordon, Esq. of Newton, Aberdeenshire, aged 70.

— At Annsbrae, Shetland, John Mouat, Esq. of Garth, aged 73.

— At Jamaica, James Scott, Esq. third son of the late Rev. James Scott, minister of Auchterhouse.

13. At Kilbryde Castle, Sir Alexander Campbell, of Aberchil, Bart.

— At Drumsheugh, Mrs. Jane Dun-

## BIRTHS, MARRIAGES, &c.

combe, relict of Captain Duncombe, of the Hon. the East India Company's service.

13. At Whitelaw, in East Lothian, Mr Francis Walker, much and justly regretted by a numerous circle of friends and acquaintances. As a farmer, he ranked with the first in that profession. He was a kind and affectionate father—a warm and sincere friend to all his acquaintances. He was followed to his grave by a number of friends, and most of the eminent farmers in East Lothian.

14. At Edinburgh, Mrs Katherine Baird, relict of the late James Baird, Esq. merchant in Glasgow.

— At his house, Torryburn, in the county of Fife, and in the 81st year of his age, Captain James Primrose, of the Hon. East India Company's service.

— At Drygrange House, Roxburghshire, Eliza Mary, eldest daughter of the late Archibald Tod, Esq. of Drygrange.

15. Mrs Kinnaird, wife of the late Mr William Kinnaird, chemist, Edinburgh.

— At Harwich, near Bolton, Lancashire, Mr John G. Moffat, son of the late John Moffat, Esq. Prestonpans.

— At Dunfermline, Mrs Angus; and on the 17th, Mr Angus, of the Post Office, both after a short illness. They were interred in the same grave.

• 16. At Patrickholm, Mr William Steuart, in the 89th year of his age.

— At his house, 11, Abercromby Place, Edinburgh, Frederick Fotheringham, Esq. late Commissioner of Excise for Scotland.

— At Bellemont, Jamaica, George Willis, Esq. surgeon.

17. At St Germain's, Mrs Anderson, wife of David Anderson, Esq. of St Germain's.

— At Ruscombe House, Berks, aged 63, the Right Hon. Dowager Lady Sherbourne.

— At Grove House, near Edinburgh, in her 16th year, the Hon. Helen Anne Murray, daughter of the late Lord Elibank.

— Mr Robert Dickson, merchant, Musselburgh.

— At Borrowstounness, in the 84th year of his age, Mr Thomas Johnston, late shipmaster there.

18. At Glasgow, Mrs Janet Honyman,

relict of John Grieve, Esq. formerly Sheriff-Substitute for Peebles-shire.

• 18. At Elie, Mrs Mary Bruce, relict of the deceased James Bruce Carstairs, Esq. of Tillicoultry.

— Mr James Thomas, of Lochie Bank, aged 67.

— At Hermitage Cottage, Leith, Thomas Thomson, youngest son of Lieut. Charles Smith, R.N.

• 19. At Couper Street, Leith, at the advanced age of 75, Charles Smith, Esq. portrait-painter in London.

— Andrew Johnston, Esq. of Castlehill, at the advanced age of 90.

20. At Leith, Mr Adolphus Seeales, senior.

— At Gatehouse of Fleet, James Denison, Esq. for many years resident in that burgh.

— At No. 2, Leopold Place, Edinburgh, Mr Walter Wight, coachmaker, Edinburgh.

21. At Pittendreich, near Elgin, Miss Louisa Macdonnell, youngest daughter of the late Rev. Mr Macdonnell of Forres.

— At her house in Arundel Street, Strand, London, Mrs Young, the mother of Mrs Fauntleroy.

23. At Perth, Mr George Brown, bookseller, aged 74.

— In Drygate Street, Glasgow, in the 83d year of her age, Mrs Mary Jamieson, relict of the late John Craig, Esq. of Overnewton.

24. At Leith, Mr John Crauford, merchant.

25. At his house, Upper Seymour Street, London, the Right Hon. Sir R. Dallas, Knight.

— At Seaford, Sussex, Mrs Carnegie, widow of Colonel John Carnegie.

— At Tours, after two days' illness, Lieutenant-Colonel Dixon, lately commandant of the royal artillery in the garrison of Portsmouth.

— At Aberdeen, John Robert Smith, of Concragh.

— At Biggar, Mr John Paterson, late of Ogcscastle, aged 84.

— At Edinburgh, Claudius Charles, Esq. lieutenant in the British navy, and post-captain in that of South America.

— At Brighton, in his 80th year, the Right Hon. Lord Eardley.

25. At Whiteside, parish of Kirkcunzeon, William Anderson, Esq. of Whiteside.

26. At Nice, where he had gone for the recovery of his health, Lord Mount Charles, eldest son of the Marquis and Marchioness Conyngham.

28. At Kirkaldy, Mrs Dr Black.

— At Naples, Mr David Henderson, merchant, South Bridge, Edinburgh.

30. At Linlithgow, Catharine, second daughter of Alexander Napier, Esq. Linlithgow.

— At Liverpool, Alexander Hamilton, Esq. F.A.S. a celebrated oriental scholar, and late professor of Sanscrit and Hindoo literature at the East India College, Haylebury.

— At Archibald Hamilton's, Esq. Cumberland Street, Portman Square, London, Miss Rebecca Scott, daughter of the late Dr Scott, minister of Carlisle.

31. At Torquay, Devonshire, Lawrence Oliphant, Esq. of Gask.

*Lately.* At the village of the Bridge of Dee, parish of Balmaghie, at the advanced age of 99, Samuel Shannon, a labouring man. He enjoyed the use of his faculties and bodily health to the last, and on the morning of his death he ordered breakfast to be ready, as he intended to travel—on being called at for it, he was found a corpse in his bed.

— In Patric county, Virginia, John Canison, at the advanced age of 120 years.

— At St Thomas's Mount, Madras, Lieutenant John G. Dalzyell, of the Hon. East India Company's artillery, fourth son of Allen Dalzyell, Esq.

— At Vincataporum, India, Lieutenant James Lawson, eldest son of Captain Lawson, Errol.

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